

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

Volume II  
TESTIMONY

BOOK 17

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

VOLUME II

TESTIMONY

BOOK 17

WATKINS  
BENGE  
BRACY  
CARIS  
CHAPPEL  
COKER

EIKENBERRY  
ELLIOT  
LUNDEEN  
MARCK  
RAVENCRAFT  
RIGGS

WATANABE  
WHITE, G.  
WILLIAMS, B.  
ZAMORA  
BOATMAN  
BOGEAR

14 MARCH 1970

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SUMMARY OF TESTIMONY

WITNESS: WATKINS, John M., Jr. CPT

DATE OF TESTIMONY: 26 January 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: Signal Officer,  
Task Force Barker.

1. COLONEL HENDERSON'S INITIAL BRIEFING AS COMMANDER.

The witness recalled Colonel HENDERSON briefing the Task Force Barker staff after assuming the duties as commanding officer of the 11th Brigade (pgs. 2, 3). He vaguely recalled hearing a comment about the failure to capture weapons (pg. 3).

2. RECALL OF THE 16 MARCH OPERATION.

The witness appeared to be familiar with the operation, but could recall no radio transmissions or anything particularly unusual (pg. 6).

3. KNOWLEDGE OF THE INVESTIGATION.

The witness stated that he had heard nothing about any unnecessary killings or an investigation of such an allegation (pg. 7). Even though he bunked with Major CALHOUN and Captain KOTOUC and worked closely with Lieutenant Colonel BARKER, he heard naught (pgs. 9, 14).

(WATKINS)

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SUM APP T-235

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(The hearing reconvened at 1055 hours, 26 January 1970.)

MR WEST: The hearing will come to order.

RCDR: The following named persons are present: MR WEST, COL FRANKLIN, and MAJ COOP.

The next witness is Captain John M. WATKINS, Jr.

(CPT WATKINS was called as a witness, was sworn and testified as follows:)

Will you state your full name, grade, branch of service, Social Security number, organization, and station?

A. John M. WATKINS, Jr., Captain, , Army Signal Corps.

Q. What is your station and organization?

A. Organization is Fort Monmouth, New Jersey.

MR WEST: Captain WATKINS, for the record, have you read Exhibit M-57 furnished to you by the recorder, which contains information about the nature and purpose of this inquiry?

A. Yes, I have.

Q. Do you have any questions about it?

A. No questions.

Q. Have you received an order from the military judge in either the case of the United States v. Calley or United States v. Mitchell?

A. No, I have not.

Q. What was your duty assignment on 16 March 1968? Where were you located?

A. It's very difficult for me to say where I was located, sir, but I think I was still the signal officer for

Task Force Barker at that time. I've been trying to go over it in my mind to determine exactly where I was on that date, and as of yet I can't come up with it.

Q. Well, we'll see if we can refresh your memory and then ask you a few questions.

MR WEST: COL FRANKLIN, would you lead the interrogation please?

COL FRANKLIN: When did you join Task Force Barker, Captain WATKINS?

A. When it was first organized, sir. I think it was probably around 1 January, the first week in January.

Q. Where did you spend most of your time at LZ Dottie?

A. At LZ Dottie.

Q. Well, just to refresh your memory a little bit, Pinkville--are you familiar with the term Pinkville?

A. Right, sir.

Q. Task Force Barker ran two major operations down there in February, one on 13 February and one on 23 February. On both of these operations you had a body count of over 70. Your A and B Companies primarily took casualties. This was in February. On 15 March Colonel HENDERSON assumed command of your brigade. Do you recall Colonel HENDERSON on this day coming up to LZ Dottie and sort of talking?

A. Yes, sir, I do. As a matter of fact, I think we set up a small briefing tent purposely for him to come up and brief the staff. As I recall from this conversation, it was more or less a peptalk.

Q. Okay, why don't you just tell us about what he said and what the conversation was about?

A. I think the gist of the conversation was praising General LIPSCOMB who had just left the brigade and hoping that he would get the support of the units the same as General

LIPSCOMB had gotten. Now, I don't remember him outlining any operation, any specific operations, at that time.

Q. Okay. Did he give any little combat tips or do you recall? For example, you weren't getting too many weapons because of a certain reason. Do you recall that?

A. That does sound familiar now. I don't remember what the tips were, but the statement does come to me that we were getting body counts but no weapons.

Q. And how about being more aggressive, and pushing forward more rapidly, and closing with the enemy? Do you remember Colonel HENDERSON giving a little talk in this vein?

A. No sir, maybe so, but I--

Q. (Interposing) You just remember what you remember now. We don't want to put words in your mouth. This is very important now?

A. Right.

Q. Just what you can recall. Okay. The day that Colonel HENDERSON came was 15 March, and this was the day that Colonel BARKER would have had or did have a lot of his key people in involved in giving the orders for the following day's operation. The Pinkville or the My Lai operation took place all during the next day, the 15th, which was the day Colonel HENDERSON was there. Commanders were coming in, they were getting briefed, CALHOUN was talking to them, KOTOUC was talking to them, Colonel BARKER was talking to them, and on that day Colonel BARKER took a chopper and took a lot of these commanders on a reconnaissance. Captain CAMPBELL was down from Uptight. Major WATKE of the aero-scout company was there that day. Obviously there would be certain signal things that would be of interest. Can you recall anything about this?

A. I think what had happened was we had gone over signal matters prior to the actual briefing of the commanders which was pretty much standard procedure. Unless somebody lost their frequency there wouldn't be a change. Of course, everybody had their frequencies. It was a matter of making sure that commanders knew who they could go to in case they

wanted to talk. As a result I don't think, and I'm not positive, that I sat in on the briefing that he gave the commanders. As a matter of fact I think what happened is that he had a shelter from a two and one-half ton truck which was backed near the TOC and I believe the commanders might have come in one by one and were briefed in that atmosphere. I don't think that he briefed them all at one particular time. Of course, I'm not sure.

Q. Well, this was going to be the biggest operation for Task Force Barker up to this point. Does that sort of stick in your mind, the period time we're talking--

A. (Interposing) Yes, sir, it does.

Q. But you don't recall Colonel BARKER's briefing or any discussion?

A. No, sir. Sir, one other question, do you know where this operation was conducted, out of LZ Dottie or did an advance headquarters move south of Dottie--

Q. (Interposing) There was no displacement of the CP. Charlie Company was there at LZ Dottie, A Company was lifted from the field, B Company was lifted from LZ Uptight. Okay, before we go into the operation itself would you tell us what communications you had in your TOC?

A. Yes, sir. I think that we had two nets operating back to brigade headquarters, one net that was operating in all three companies, Alpha, Bravo, and Charlie, and I think we had one net that was switched around. In other words if you wanted to get hold of the FAC's that were flying around you got a frequency you can just switch over to, and the rest of the radios would remain on frequency. So, in that respect we had two, three, four radios going down--

Q. (Interposing) What kind of radios?

A. All FM's, sir, all FM's.

Q. All FM's and what models?

A. 524's, RT-524's.

Q. Which is what, the 19's?

A. The 19 series. They were offloaded from the vehicles and bench mounted in the TOC.

Q. Okay, did you keep a radio habitually on an air/ground push during an operation?

A. No, sir, well this one particular radio I was telling you about which was switched back and forth didn't necessarily stay on an air/ground frequency.

Q. You had two nets to brigade. Was that one secure and one the FM command?

A. Right, sir.

Q. Okay. On the morning of the 16th, there would have been an awful lot of choppers and a lot of activity early in the morning on the LZ. There were nine lift ships and aero-scouts from Company B. You had gunships. The Sharks were accompanying the lift ships. Just to give you some idea of what you might have heard in this TOC--and we hope you were in the TOC area on this morning--the call signs were Dolphins for lift ships, Shark for gunships, Warlord for the aero-scouts, Rawhide was brigade, Rawhide 6 was Colonel HENDERSON, Rawhide 3 was Major MCKNIGHT. Your call sign was Coyote 65 and then in your TOC, Charlie 6 and Bravo 6 I believe were your C and B Company's call signs. C Company was lifted from LZ Dottie, and very early in the morning we started getting some considerable radio transmissions. Now, can you recall where you were and anything that you heard and what happened on this day? This was the day that Task Force Barker got the highest body count it had ever gotten.

A. I don't really, sir. But I believe probably on around the last lift that left Dottie going out--that is, Charlie Company's lift going out to the field--I think that maybe somebody had some radio problems out at LZ Uptight, and I was picked up in one of the choppers and dropped off out there to check the radio. I'm not at all positive, but I think this is what happened. Then of course later on we were picking up Bravo Company I believe from Uptight. We were picking up somebody from Uptight. But now as far as remembering

any specific radio conversation, I do not and I'm sure I was in and out of the TOC that morning.

Q. Well, do you remember anything unusual at all?

A. No, sir. I do not.

Q. Well, there was a large topic about people streaming out of a hamlet and a lot of topics about trying to get ground troops to move over and check bodies that had web gear on them and pick up weapons. About 0840 in the morning there was a report of 69--well, 84 actually, 84 VC killed by Charlie Company. Do you remember hearing that?

A. I remember hearing body counts, sir, but I'm not sure at all what the numbers were.

Q. Do you recall hearing anything at all during the day on the radio about "Lots of bodies," or "Stop the killings," or "Stop this," or anything of this nature?

A. No, sir.

Q. Do you recall anything about this operation at the end of the day on 16 March, any feelings you had on the information?

A. I think I got two operations really confused. That's why I asked you if it was conducted from Dottie or south of Dottie. There were some people that were wounded. I guess it was A Company commander who was wounded.

Q. Not that operation. That was Captain TRINKLE. That was the 23 February operation.

A. No, sir. I do believe that I remember this body count being one of the largest that this task force had had. If I'm not mistaken there was a telegram that might have come up from Saigon congratulating the task force. This I do remember.

Q. Okay. That was a message transmitted by General WESTMORELAND through General KOSTER to the task force.

A. Right.

Q. What were the conditions under which you heard about this message?

A. As a matter of fact, I think I got it out of The Stars and Stripes a couple days later.

Q. You weren't called together by Colonel BARKER, or maybe Colonel HENDERSON, or somebody?

A. No, sir.

Q. You ever recall anytime hearing anything, any rumor, any report, any knowledge, or anybody talking about unnecessary killings or hurting of noncombatants, civilians?

A. No, sir, I can truthfully say that. The very time that I was aware of anything having been alleged to have happened such as this was when I picked up the paper. Maybe I was denied the facts, but I knew absolutely nothing of this nature was alleged to have occurred.

Q. Did you ever hear any talk at all about an investigation?

A. No, sir. I did not.

Q. You mentioned you think you went to Uptight and that somebody had radio trouble. Who would that be?

A. I'm not sure who. It might have been the artillery, because there was an artillery battery there. It might have been the artillery people. I can't think of the battery commander's name. For some reason, I had to go from Dottie up to Uptight. I think it was because of communications problems.

Q. The body count for this operation was 128 VC killed, 3 weapons captured. Does that ring any kind of bells?

A. Doesn't ring any bells. No, sir.

Q. Did you ever hear any comments about that, that low weapons ratio to bodies? Did anybody talk about that?



A. I'm not sure. It appears as if some of the people that were being briefed in the TOC there after the operation had been conducted mentioned why we had such a high body count and no weapons. I believe the explanation was that these people were very particular about policing up their weapons after battle. Of course I was not familiar with what went on out in the field so I didn't question it. I didn't have any reason to question it.

Q. Did you ever hear at any time around brigade headquarters or any other outfit talking about Task Force Barker killing women and children?

A. No, sir. I can truthfully say I did not.

Q. What was Colonel BARKER's views about unnecessary hurting noncombatants? Did you ever hear him express his views?

A. No, sir, but I did work very closely with Colonel BARKER, and I don't think that he would condone it. I don't think he was the type of individual that would condone it. Although I never heard him express openly that "I disagree with killing," to my knowledge there was none. There was no need for any. Just knowing how he operated, I don't think he would have gone along with it at all.

Q. How did he operate?

A. A very efficient command, very much so. Very much liked, I think, by everybody in the brigade really. The type of guy that I enjoyed having as a commander, I'm sure.

Q. Did he spend a lot of time with the rifle companies in the field?

A. Really, he flew out quite a bit and would maybe sit down in the TOC and go over the battle plans with the people, not really go out and operate with the people. He flew around quite a bit.

Q. You had three very strong company commanders: MEDINA, MICHLES and TRINKLE.

A. Suppose to have been the best in the brigade.  
Right sir.

Q. Did Colonel BARKER have any problems controlling these three strong commanders?

A. Absolutely none, sir. As a matter of fact I've heard him express time and time again that he was very fortunate to have had the three best company commanders in the brigade. He was very proud of them. As far as I knew they were the best company commanders in the brigade.

Q. Colonel BARKER never expressed around you any concern about an investigation and allegation?

A. I even bunked in the bunker with Major CALHOUN who was the XO, and we conversed quite a bit. I think Captain KOTOUC was in the same bunker, and we conversed quite a bit. But never at any time I can truthfully say did we ever discuss or did he ever indicate to me that there was an investigation going on concerning the killing of civilians. It was totally new to me.

Q. Did you ever hear Captain KOTOUC say anything about what he used that bowie knife of his for?

A. Bowie knife?

Q. Yes, he used to carry a bowie knife, right? Captain KOTOUC?

A. I don't remember, sir.

Q. You don't?

A. No, sir.

Q. Did you ever hear Captain KOTOUC talk about personally using physical violence on a VC or VC suspect?

A. No, sir, I did not. No, sir.

Q. Would you say Major CALHOUN was fairly knowledgeable of what was going on in that battalion, the task force?

A. I'd say so. Yes, sir. He was in contact with the company commanders almost every day and of course I think wrote up the OPLAN, if there were a written OPLAN. Of course I never got a written OPLAN. I think he at least conversed with Colonel BARKER whenever there was going to be an operation. I think that he was in on the briefings. So I would say he was familiar with everything that went on. Yes, sir. Now when you start talking about being familiar with what goes on in squads and platoons, that's pretty difficult.

Q. What was the task force's policies about burning hootches?

A. This I really couldn't say, sir, I do know from time to time in search and destroy operations hootches were burned. Now, as far as there being an official policy, I don't know if there was one. If there was a brigade policy, I wouldn't know.

Q. Did you ever hear of the 48th VC Local Force Battalion?

A. Yes, sir.

Q. Did you ever hear Colonel BARKER talk about this battalion?

A. Not really, sir. I think the first time that I was aware of the 48th VC was when we picked up some documents, and from the documents we surmised that the 48th VC Battalion was operating out of that area. This same operation that I was telling you about earlier that we operated out of south of Dottie. If I'm not mistaken, it might have been a POW picked up from the 48th VC Battalion who reconfirmed that the 48th VC Battalion was operating in that area. As far as how strong it was in there, I don't know.

Q. Did you ever hear any talk around the task force about getting in and wiping out the place, and leveling it, and killing the livestock?

A. No, sir.

MR WEST: When did you first hear of this Son My operation against My Lai (4) and the other villages in the so-called Pinkville area?

A. Do you mean prior to the operation?

Q. Yes, it was planned for some time. Do you recall the planning on it?

A. I don't know how long prior to the actual operation it was planned. I'd say maybe a couple of days I knew about it.

Q. Well, we've had testimony indicating that actually it had been planned to take place sometime earlier and it was postponed. Now as the signal officer of Task Force Barker wouldn't you be in on the planning phases for an operation of that nature?

A. Right, sir. I would say that I should have been abreast with it, but not necessarily in on, the planning unless it was something that was specifically pertaining to me. Most of the signal operations were SOP, and the rest of that--you were going to bring in another unit that we needed to contact and we didn't have the frequencies--I really wouldn't get involved in it. I doubt very seriously if it was planned before, and I didn't know about it. Maybe this slipped my memory.

Q. This was to be a combat assault that was to be lifted in by helicopter, which didn't happen every day with Charlie Company apparently. They were going to have the support of not only the lift helicopters and gunships, but they were going to be supported by aero-scout teams. They took about nine men from the mortar platoon with them. There were radio communications. There was an arrangement for a radio relay set up at LZ Uptight and artillery preparations, gunship preparations. All these things are part of communications. Do you recall being in on the planning of that?

A. I really don't, sir. The reason why it was postponed was because we couldn't get helicopters. That seems to ring a bell. The first operation that was planned because they couldn't get the choppers?

Q. That's been determined definitely. Possibly that was the reason. This operation was in an area where they had to get on AO extension, but it was not in the Task Force Barker area.

A. Right, sir, I remember. I think it was going into the 2d ARVN Division's AO.

Q. That's right. What sort of radio set up did you have at LZ Dottie? Did you have your van?

A. For regular voice communications, companies back to task force, task force to brigade headquarters, regular FM radios, PRC-19 series, off mounted from vehicles and, of course, bench mounted. Now, radio relay-wise we used one Mark 69 I think it is, two track 24's and that tied us in back to brigade headquarters and back into the division switchboard.

Q. Where were these radio set up? Were you in a separate van, or were you in a part of the TOC, or where were you at LZ Dottie?

A. The regular FM radios were actually set up in the TOC. The radio relay equipment was set up outside of the TOC right next to the bunker that Major CALHOUN, Captain KOTOUC, and I slept in and was operated by my people. Now the radios in the TOC were normally operated by the TOC NCO or the TOC duty officer. We were too short of personnel to have anybody actually stay with the radio.

Q. But you had your own people on the other?

A. On the other, yes, sir.

Q. Do you remember their names?

A. No, sir. If I would hear them I'm sure I could.

COL FRANKLIN: Those other people, they were strictly switchboard operators, right, with the VHF?

A. VHF, right. In other words, they wouldn't know if there was a conversation going on unless they were just making a check to see if they were off the air. There could have

been any number of conversations going on that they didn't even know about.

Q. Can you suggest anybody that might have been monitoring the conversation, but on a different net during the operation?

A. No, sir, nobody other than the TOC duty officer or the TOC duty NCO, who I think should have been keeping a log.

Q. Did you know about the tape that Captain LEWELLEN made?

A. No, sir. Well, I do remember I think that he had a tape recording. As a matter of fact he might have been operating the radio that day the operation took place.

Q. Well, he did make a tape for part of the morning throughout the major part of the--

A. (Interposing) I never heard the tape.

Q. If you listen in on radio transmissions from Task Force Barker and brigade and so forth would you know the voices of the key officers of Task Force Barker, brigade, and division?

A. No sir. It's almost impossible. There are so many people.

Q. Did you stay with Task Force Barker until it was broken up in April?

A. Yes, sir.

Q. Where did you go then?

A. From there I went back to brigade headquarters for maybe a week or so and then to division to work in the S3 shop. When the 523d Signal Battalion came in there, I took over one of the signal battalion's companies for my last 6 months.

Q. We have a great deal of evidence, Captain WATKINS, of what went on in My Lai (4) that morning. It produced a strong reaction in quite a number of people. Quite a number of complaints went out over the radio net about the needless killings of civilians in My Lai (4) which resulted in considerable radio traffic back and forth. Orders were given to find out what's going on; orders were being given to stop the killings, stop the unnecessary killings, stop the killing of civilians. Varying reports were given as to the number of people killed. One witness put it at 310, and another one put it at 350, and another a higher figure. This quickly became known throughout the outfit. If you didn't hear it you are one of the few people who apparently didn't. The evidence is pretty clear that this situation was known to Major CALHOUN and Captain KOTOUC. It seems a little strange to me that they didn't discuss it in your presence at all. You were one of the family. You were right there, and you were one of the accepted members of the staff. The first sergeant of Charlie Company, HOBSCHEID was way back off somewhere else, Duc Pho perhaps, and he knew about it. He knew that Task Force BARKER was in trouble. And you mean to say you weren't aware of anything?

A. No, sir. I can again truthfully say I knew nothing. Again I slept right in the same bunker with Major CALHOUN and Captain KOTOUC. If they knew about it and I was not aware of it, I don't know what happened. I can truthfully say that neither one of them ever indicated to me that this had taken place.

Q. Well, as you can see from the statement you had (Exhibit M-57), this is one of the principle things we're looking into. Was there a coverup? Was there a conspiracy of people to keep this quiet? People who should have reported it failed to report it, either by design, by negligence, or by mere failure, or mere inaction. We have ample testimony that Colonel HENDERSON conducted a preliminary investigation the 16th, the very day. He worked on this off and on for the next 6 weeks perhaps, and then he told us that in May he was directed by the division commander to make a formal investigation. He had directed Colonel BARKER to conduct the investigation, and Colonel BARKER did conduct an investigation. He took many statements, perhaps as many as

20 statements, from people who knew the facts and who were involved one way or another, and this report was completed and sent to division headquarters. I take it from your testimony you never heard of this either?

A. No, sir. Now this might have occurred after I had gone to division. I think Colonel BARKER stayed there after the task force disbanded. He later became the CO of 4/3. So, if there was an investigation and he conducted it, probably this is when I missed it. I had gone to division. But still if it was that great and I had been there, I don't understand why I didn't know about it. I should have heard about it. I knew quite a few people at division who came from the 11th Brigade with me, and they never indicated anything like that. It was news to me when I read it in the papers.

Q. Well, these are elements of the puzzle we've been trying to put together. We have a great deal of evidence including that of Captain MEDINA that he got his company together and told them not to talk about it. Whether he told them not to talk to anybody or just not gossip about it and to talk only to an investigating officer, there's been a great deal of controversy. In other words he told them that they didn't have to talk to anybody about it, and they shouldn't in fact. Others say that he told them that an investigation was beginning, and they should tell everything they knew. So you can take your choice. The fact is that none of them talked. Perhaps, among themselves, but not to the extent of making a report and finding or seeing that somebody did something about it. I think you perhaps can see our problem. Can you think of any witness who might have more familiarity with the facts than you?

A. You probably talked to my commo NCO, Sergeant HALL, Staff Sergeant HALL.

Q. Yes.

A. He was out with Colonel BARKER quite a bit. As a matter of fact he went out with the companies a couple of times, and he might have been more abreast of what was going



out there than I was or than I am. What about the artillery liaison officer, Captain VAZQUEZ? Now, he might have been back during the entire operation. He might have been on the radio, I don't know.

MR. WEST: He was. He was probably in and out with Colonel BARKER, wasn't he?

COL FRANKLIN: Yes, sir, he was with Colonel BARKER over the area when he directed the artillery fire, Captain VAZQUEZ.

MR WEST: We've talked to him and Lieutenant ALAUX, the forward observer for Charlie Company?

A. I don't remember him. I really wish I could give you something. To the best of my knowledge, I've given you what I know.

Q. I know you have, and we appreciate it.

A. I just didn't get out there. As a matter of fact, I didn't have to get out there and operate with the company, unless they lost a frequency or something. Then I'd have to go out. I did know Captain MEDINA and Lieutenant CALLEY. As a matter of fact, we went over on the same aircraft. I took the advance signal party over. From that standpoint, I did know them, but not personally.

Q. You trained with the brigade in Hawaii?

A. No, sir. I just got to Hawaii maybe a month before the brigade departed. The training was all over. They were packing up. I really didn't get a chance to know all of the officers. Because when we went into LZ Bronco, and of course from there I went out to the task force, and I dis-associated myself from a lot of people up in the headquarters.

Q. We appreciate your coming here this morning, Captain WATKINS, and we asked you to come because due to your performance at that time we thought you might have been in position to help us with some facts that are missing. We are well aware that you are not directly involved, and it was just a chance that you might know. We appreciate your

testimony you have given us. You have probably given us some clues where we perhaps can move on to somebody who had more direct knowledge.

MR WEST: Colonel FRANKLIN, do you have anything else?

COL FRANKLIN: Yes sir, I have two questions. About how many PRC-25's did these rifle companies have operating about this time, if you can remember?

A. It's hard to say, sir. I'd probably say not more than two per company.

Q. How many? What's the TO&E of these radios per rifle company?

A. They were using the PRC-4. PRC-9, which is a much smaller version, down at the squad and the platoon level. The company commander would have a PRC-25 if they were all operating. But the companies were very short. As a matter of fact, we were going back and forth to brigade almost every night shuffling for--

Q. (Interposing) We know at least one squad that had one. And a rifle company has at least 15, I believe, by TO&E. But you were really down that much?

A. Yes, sir, we were. Maybe not down to two, but they were vastly short.

Q. When you had an operation like this taking place say 10 to 15 kilometers away from Dottie, we know that both B and C Company would get into dead spots, but Uptight was used as a relay?

A. Right.

Q. Who set up that relay, and who manned it and what type of equipment did they have?

A. Normally, sir, at least one platoon from one company had to secure Uptight all the time. So normally, the

platoon or the company that was securing Uptight would be responsible for operating the relay, and of course what we used there at the relay were PRC-25's. Of course, the artillery battery was also located there--

Q. (Interposing) You didn't use any automatic retransmissions?

A. No, sir.

Q. Just a voice relay?

A. Voice relay.

Q. You didn't provide any personnel for this relay?

A. No, sir. None, sir.

COL FRANKLIN: That's all I've got.

MR WEST: Thank you very much. The hearing will be recessed.

(The hearing recessed at 1136 hours, 26 January 1970.)

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SUMMARY OF TESTIMONY

WITNESS: BENGE, Clarence M. SSG

DATE OF TESTIMONY: 11 February 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: Squad Leader, Weapons Platoon, A/3/1.

1. ACTIVITIES OF A COMPANY.

a. Activities of 16 March.

The witness recalled that his platoon received sniper fire the night of 15 March 1968 (pgs. 7, 8). The next morning the platoons went into blocking positions (pg. 8). He remembered two artillery preps and seeing four males who he believed were armed running from the area after the second prep (pgs. 8-10). This was in the B Company area (pg. 10).

b. Activities of 17 March.

The witness said that he remembered taking casualties in a sapper attack on the 17th (pgs. 11, 12).

c. Activities of 18 March.

The witness stated that his duty on the operation was with the security element for the headquarters group (pg. 13). However, he was seldom able to overhear radio transmissions when his unit was moving (pg. 4). When the company moved out of the area the third platoon brought up the rear, with the first leading out followed by the second. The headquarters element preceded the third platoon, and, perhaps, mingled with the second platoon (pgs. 15, 16). He recalled helicopters covering for the move (pg. 17). He could not recall the incident of an aircraft spotting a wounded VC and hovering in the area, only to have the possible

(BENGE)

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prisoner summarily shot by A Company personnel (pgs. 17-19). He felt if such had occurred he would have, at least, heard about it (pg. 19).

2. OTHER INFORMATION.

The witness stated that the men in his company treated Vietnamese old men, women, and children (pg. 21).

17 30

(BENGE)

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EXHIBITS

EXHIBIT NUMBER	DESCRIPTION	NOTES	PAGES
MAP-5	Map 6739 II (small scale)	Wit oriented.	2

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(BENGE)

(The hearing reconvened at 1020 hours, 11 February 1970.)

COL ARMSTRONG: The hearing will come to order.

RCDR: The following persons are present: COL ARMSTRONG, and MAJ COOP.

I have an exhibit to be entered into the record. This is an extract from the Americal Division information office, "Standard Operating Procedures." It is dated 7 April 1968. This document is entered into the record and identified as Exhibit M-112.

Sir, the next witness is Staff Sergeant Clarence M. BENGE.

(SSG BENGE was called as a witness, was sworn, and testified as follows:)

Will you state your full name, grade, Social Security number, branch of service, organization and station?

A. Clarence Mitchell BENGE, Staff Sergeant E-6, , Company A, First Battalion, 34th Infantry, Fort Riley, Kansas, sir.

RCDR: You are in the United States Army?

A. United States Army.

COL ARMSTRONG: Sergeant BENGE, I am Colonel ARMSTRONG and I have been designated by the Office of the Chief of Staff to assist General PEERS in the conduct of this investigation. Have you read the preliminary instructions?

A. Yes, sir.

Q. Do you understand them?

A. Yes, sir.

Q. Do you have any questions about them?

A. No, sir.

Q. I would like to point out there are other such groups taking testimony from various witnesses, but in General PEERS' hands alone rests the responsibility to adjudge the testimony, to write the report, come to the conclusions and make recommendations to the Secretary of the Army.

As a military man, you are directed not to discuss any part of the testimony that goes on in this room or anything that you have heard here in connection with the inquiry. This does not apply, of course, to any official, administrative, judicial, or legislative body that may enter into some inquiry and in this respect we are talking in terms of the House Armed Services Committee.

A. Yes, sir.

Q. I hand you this, Sergeant BENGGE, and ask you to indicate thereon the positions of anyone as you recall them.

A. Okay, sir.

(The witness was handed the company roster for review.)

(Sergeant BENGGE was oriented on MAP-5 by COL ARMSTRONG.)

Q. Sergeant BENGGE, would you explain what your position in the Americal Division, say, from January 1968 until you departed?

A. I was acting as squad leader and also acting as platoon sergeant for a full period of time.

Q. Of what platoon?

A. Weapons platoon A/3/1. The dates were around January when I was more or less acting as a platoon sergeant and squad leader both, but prior to this I was a squad leader.

Q. How long were you in the company?

A. I was in the company from November of 1967 up until August of 1968.



Q. Why did you leave the company, and where did you go?

A. I rotated back to the states here, and I was assigned to Fort Riley, Kansas, sir.

Q. You rotated in 9 months?

A. Yes, sir. I had a previous tour in Vietnam.

Q. Now, last fall, that is September and October 1969, the newspapers, TV, and the news magazines told all about the events at My Lai in March 1968. Now since that time, since the news media came out, have you had any contact with any of the people that were in the battalion or the unit or the brigade or the division that you have discussed this with, and if so, would you explain what those circumstances were?

A. I think that I may have on an occasion or two. It so happens a couple of people that were in our company-- I think that we might have said something about this to each other.

Q. Do you recall anything about what the conversation was about?

A. I think, probably, it was more or less on the area of operation. This area that we operated in, we called Pinkville, and I think that was the main topic, the area more than anything else.

Q. You didn't discuss events or whether this could have happened or what things each of you knew about this happening?

A. No, sir, not about any certain event. We more or less talked about the whole time that they were there. This just went between ourselves.

Q. Who are these two men?

A. One is Specialist Four Marcus J. ADDINGTON, and another would be Private SPEARS. He was a Specialist in

Vietnam. He is a private now. He was in our platoon also. One more that I saw at Fort Riley, I'm not sure that we really talked about it, but it would be Sergeant Bobby WILLIAMS.

Q. Do you know why SPEARS was reduced?

A. No, sir, I don't.

Q. Let me ask you this, what was your reaction to this information when it was published?

A. Well, the news that was brought out and what I saw on the TV, the reports that I got off TV from the individual that brought all these points out, it was sort of a shock to me. I didn't really go along with what he said. In my own opinion, I just don't think that it happened. It's sort of a shock to me because I was there with the task force and I knew how we operated, and I know my company definitely was not allowed to even harass them.

Q. Did the other people you talk to, did they seem to have the same reaction?

A. I think so, sir, in a broad sense, because they were part of it just like I was, and they knew they were a part of what happened in that area.

Q. Did they voice they had known of any incident, maybe not connected with this, but other incidents where this sort of thing could have happened?

A. No, sir, not in any way that I could make out.

Q. I have asked you to comment about conversations you have had since September or October, since this was published. Let me talk in terms prior to September or October. Did you ever talk to any of your friends or company mates or anybody you knew over there about any such event as this?

A. No. Because all these people that came to Fort Riley came there after September, and this had already happened. The word had already got out on this incident. They knew about it prior to their coming to Fort Riley.

Q. Well, I'm not thinking necessarily of just these people, I'm talking about any other people.

A. No, sir.

Q. You never heard any talk around the company when you were back in the company?

A. You mean after it was broadcast?

Q. No, prior. I mean back in your company, back in the Americal, back in the battalion.

A. Nothing like that, no, sir.

Q. Do you have any explanation of any of these remarks on this roster?

A. No, sir.

Q. Any special ones?

A. I have seen a couple of people that I remember that weren't marked on the roster, I believe I noticed.

Q. It's my understanding, Sergeant BERGE, that you were out on the operation on the 15th of March through about the 26th of March?

A. Yes, sir, that is correct.

Q. You remember the operation where in Bravo and Charlie Companies were south of the Diem Diem River, and your company was in a blocking position north of the Diem Diem?

A. Yes, sir. I remember that particular day.

Q. You remember two previous operations that Task Force Barker had gone into the Pinkville area, one of which your company commander had been wounded?

A. This was Captain SHELTON, sir, or Captain TRINKLE?

Q. Captain TRINKLE.

A. Right, sir.

Q. You got into a pretty rough deal in there, down in the Pinkville area, and, as I recall, you had to be extracted by APC's. Were you on that operation?

A. Yes, sir.

Q. That was on the 23rd or 26th of February. So this particular operation that we are talking about now, on the 16th of March, was really the last operation of Task Force Barker into the Pinkville area. This is to better fix it in your mind. It was also, incidentally, the biggest body count that the brigade had had since it arrived from Hawaii. Do you recall this?

A. Yes, sir.

Q. Do you recall the number of casualties of Viet Cong casualties that were--

A. (Interposing) No, sir. I never did get the complete number of body count. I knew it was high, but I didn't know the exact number.

Q. Did you realize there was quite a discrepancy between the number of bodies counted and the number of weapons captured?

A. Yes, sir. I did.

Q. Does 128 VC's remind you of anything?

A. Yes, sir.

Q. What was your reaction to this?

A. Well, I saw the weapons that were captured and during the engagement in the village and the number of personnel that I saw running, now this is Viet Cong soldiers directly to my front, I think that maybe it could have been correct. But I'm not sure because, like I said, I didn't see the actual body count.

Q. Let me ask you this, you said you saw a number of Viet Cong soldiers running, do you recall this?

A. Yes, sir, very distinctly.

Q. Could you describe on the map where you were located and where you saw these men running. You can point out--

A. (Interposing) I think so, sir. As I remember the road that we came to, now we were coming in on APC's.

Q. No, sir. You were in a blocking position up here (referring to Exhibit MAP-5). You didn't get any Viet Cong.

A. This is the day Captain TRINKLE was wounded? We are talking about two different days.

Q. What I'm trying to talk about was the 16th of March operation. When Charlie Company and Bravo Company went in south of the Diem Diem and you were sitting up there in the blocking position. I only mentioned the 23rd operation because I wanted to point out you had been in the operation area.

A. Right, sir.

Q. The operation we are really concerned about is a later one, about a half month later or almost a month later, and it was the last operation of Task Force Barker into Pinkville. Do you recall any details of that operation where the night before the company had moved down close to the position they were going to move into and early in the morning got up and moved down and occupied the blocking position north of Diem Diem River.

A. I don't recall exactly the date, but I remember the operation.

Q. Could you try to tell us anything that you can remember about that operation from the time that you started out on it until you thought it had broken up?

A. Okay.

Q. In the greatest detail.

A. I'll start on the night before. I believe we received a couple of sniper rounds that night right around chow time. We had our chow flown into us by chopper. After we ate chow, it was after dark, and we moved into a night laager position. It was quiet the rest of the night. The next morning we got up. We had one platoon that was in a blocking position to our left, when I say to your left, I was with the headquarters element then, and we had the other two platoons, they were also in their blocking positions. I can't remember exactly how they were set up in their blocking positions.

Q. Do you recall which platoon that was on the left?

A. No, sir. I don't remember at this time which one it was. I know the headquarters element moved up on to some high ground, and we could see the village down below us.

Q. Now, do you mean across the river?

A. Across the river.

Q. You could see at least one village or one hamlet?

A. Yes, sir.

Q. Do you know which one that was?

A. No, sir. I think it was My Lai (1), but I couldn't say for sure.

Q. Did you hear anything or see anything of the activity going on across the river?

A. Well, of course, they had artillery that was prepping, and from what I could see, I saw four males running down there. They were running in our direction, and they ran about half way across the rice paddy toward the river, toward us. Then they turned around and went back up into the village, and they were going southeast. Then we could see other people moving around in the village. I couldn't tell if it was--

- Q. (Interposing) What range do you think this was?
- A. This must have been at least 2,000 meters, sir.
- Q. 2,000 meters?
- A. Yes, sir.
- Q. Did you have any field glasses or anything?
- A. The company commander had his glasses.
- Q. Did you get a chance to look through them?
- A. I don't think so. I don't believe so. All I could see was these figures running around.
- Q. Then you don't really know whether they were males?
- A. They were male personnel.
- Q. Were they armed?
- A. I saw one object that looked like a weapon, and I just took for granted at that time that it was a weapon, and the other three were running with the one that had a weapon. And the other three, if they had a short weapon, I wouldn't have been able to see it. This one I was able to see because it was a larger type weapon, something like an M-1.
- Q. Do you recall about what time in the morning this was?
- A. I would say right around 0900 or 0930.
- Q. About how long after the artillery prep?
- A. 15 or 20 minutes.
- Q. There were two artillery preparations.
- A. Right, sir. I think I recall there was one about 0800, right before the combat assault.

Q. The first combat assault was about 0730.

A. Right, sir. It must have been, I think 0700 was set for the prep from artillery.

Q. That was the first one, and the second one went in about 0900 for B Company.

A. Somewhere around there, 0830 or 0900.

Q. So this was shortly after the second prep that you saw--

A. (Interposing) Right, sir.

Q. You say you thought it was perhaps My Lai (1). It couldn't have been. Well, that My Lai (1) is Pinkville, so that over toward the shore, so this is in the objective area of Bravo Company.

A. Bravo Company was coming in on the shore.

Q. Well, really it was coming in on the east, and Charlie Company was coming in on the west inland. They are both landing to the south and moving toward you. So you think this would probably be Bravo Company's operation, rather than Charlie Company's operation that caused these people to run.

A. Well, now we wasn't able to see on this first prep, because we were in lower ground at this time. But we moved up on higher ground on this second prep.

Q. But if you point out My Lai (1) on this map being where you think these people were running from, then this was in the Bravo Company objective area.

A. Right, sir.

Q. Okay. All right, continue on what happened during the rest of the day. Did you have any casualties from mines or booby traps in your company that day?



A. I'm not really sure if it was that day or a couple of days before. As I recall, we got a couple of casualties a day or two before that, right up the river there. It could have been the same day, I'm not sure. I have got to get my days separated. I know on the night before the operation was supposed to have taken place, I think we moved down to the village. I mean not the village, the river. I think the same morning of the attack by Bravo and Charlie Companies that I don't recall any casualties we got, but I'm not sure if it was a day or two in between that time.

Q. Do you recall staying there that night?

A. This was the night before the--

Q. (Interposing) No, this was the night of the attack, the same night or the day that Charlie and Bravo attacked in the Pinkville area. Do you recall staying on the north side of the river?

A. I think we moved back on out of the area there, sir. I believe after that, I think we moved back to a different area of operation, quite a ways from Pinkville. Maybe 4 or 5 clicks.

Q. All right, the day after that, do you recall--in other words, Pinkville, the Pinkville attack took place on the 16th of March. So on the 17th of March late in the afternoon, your company moved across the Diem Diem River in the vicinity of My Lai (5) or just across from the bridge and went into a night defensive position there. Do you recall that?

A. I'm not really sure, sir.

Q. Would it help you if I recall to you the fact this is where you received a sapper attack, and two men were killed and five were wounded?

A. I think it was right on the edge of the river, a little foot bridge across the river there that crossed this river. As I recall, that's where we got booby-trapped area, and I think two men were killed and couple wounded. I am not sure of the wounded. I don't remember the count. I do know

that one of the wounded men later died from the wounds he got.

Q. No. This is a night position several hundred meters south of the Diem Diem River, and on the early morning of the 18th about 2 o'clock in the morning, the company received a sapper attack in the 1st Platoon. Two men were killed, five were wounded. Does that recall anything to your mind?

A. I think that I remember the incident that happened then. But I have got the dates confused now. I can't remember.

Q. But you remember the incident, sapper attack. First it was reported as a mortar attack.

A. Right, sir. I know the incident you are talking about, now.

Q. Then it was Captain RIGGS that later on corrected it and realized it was not a mortar attack, it was a sapper attack.

A. Right, sir.

Q. And there were two men killed in the 1st Platoon and five men wounded.

A. Right.

Q. That day, 18 March, you moved north again, across the river and moved north into an area, I think, somewhat south of LZ Uptight and broke up into small groups and operated as you normally operated, do you recall that?

A. I remember moving the next morning, but I don't remember exactly if they were split up into small groups.

Q. Well, you may have gone up as a company for 2 days and marched north, I don't know.

A. I remember we moved in, but as to what we did, I'm not sure.

Q. What I'm interested in, what was your position out in the field, now, at this particular time for this operation, do you recall?

A. Which one, now?

Q. To me, the 3 or 4 days of the Pinkville operation is all the same operation. In other words, you are a platoon sergeant in a weapons platoon or a squad leader. Why were you out there in the command group?

A. We have a security squad that we were called, and we went along with the headquarters element as the security for the CO and his RTO and artillery FO.

Q. Do you remember who was the RTO?

A. For the company commander?

Q. Yes.

A. I'm not really sure, but I think it was Specialist MARCK.

Q. For that operation, could it have been GIBBS?

A. I could have been, sir.

Q. Was he occasionally the RTO for--

A. (Interposing) Yes, sir.

Q. Is there anything that makes you think that for this operation it might have been MARCK?

A. No, not really. The reason I said MARCK is he was the company commander's regular RTO.

Q. Now, when you were marching with the company in this security element, the company headquarters group, where was your position?

A. We were right with the headquarters element. We usually had one or sometimes two platoons ahead of the headquarters element and then one platoon to the rear.

Q. How many men did you have in this security element?

A. I usually had from six to eight people.

Q. How did you place these individuals?

A. If we were going through the thick areas where I could not have people out on the flanks, I usually had them close in with the headquarters element.

Q. All right, where would you be?

A. I usually stayed directly behind the RTO, the CO was normally right in front of him, you know, separated. I think most of the time, it was the CO, then the RTO, and then the artillery FO and the sergeant of the RTO, and then I would usually place myself somewhere around them or somewhere close to that.

Q. About how far from the company RTO were you?

A. I'd say we stayed spread out. I would say in the open area 25 or 30 meters.

Q. Did you normally hear any conversation or any messages normally received and transmitted over that company radio?

A. Sometimes I could, sir, and then again, I didn't pay too much attention to what was going on.

Q. On this operation do you know who the forward observer was for the company? Would you say he was an artilleryman or from the mortar section?

A. I think we had our artilleryman.

Q. Could you recall who he was?

A. No, sir, I don't remember what the name was.

Q. Do you recall that whether or not on this operation Lieutenant LUNDEEN was with the company? Now Captain RIGGS was company commander at this time. Was Lieutenant LUNDEEN out in the field, do you recall?

A. I'm not sure, sir.

Q. What about Lieutenant COKER?

A. No, I'm not sure.

Q. What about Lieutenant WHITE?

A. WHITE, Lieutenant COKER was the 3d Platoon leader, as I recall. They had the platoon leaders on this operation.

Q. Do you recall if any of the platoons had an officer with them?

A. No, sir. I don't, sir. I can't say for sure.

Q. Do you know if any of the lieutenants were out there?

A. Right, sir. I think they all were there, but if there was one missing I don't remember it.

Q. In other words, you still have the impression that you had a reasonable number of lieutenants with the company?

A. Yes, there was.

Q. Now let's try to go back and remember the march out of the area. The 2d Platoon had taken some casualties early in the morning. Would they have been the lead platoon? Do you think on the march out, in other words, the point platoon?

A. It was either the 1st or the 2d Platoon, sir. I'm not really sure. But the 3d Platoon was bringing up the rear.

Q. The 3d Platoon was bringing up the rear?

A. If I remember correctly, it was the 3d Platoon. I think we got some fire from the village.

Q. What village?

A. My Lai, right across the river, I think just a few sniper rounds. I still got my days mixed up.

Q. So you think the 1st Platoon--well, let's put it

this way. With the 2d Platoon having received casualties early in that morning, seven men actually that were evacuated, would the company commander have put the 2d Platoon out on the point?

A. No, sir. I don't think so.

Q. You are under the impression that the 3d Platoon that day, was bringing up the rear of the company?

A. Right, I think so. I think it was the 1st Platoon leading out, then the 2d, and the 3d was bringing up the rear, the rear security. I think we were moving out of the village, and I think we had the strong platoon in the rear.

Q. That sounds sensible. Where do you recall perhaps, or what is your impression of where the command group had placed itself on this move?

A. I think we were behind the 2d Platoon at this time.

Q. So there were two platoons between the company commander and his point?

A. Yes, sir. I'm not really sure. We could have been mingled in with the 2d Platoon, maybe. I'm not really sure.

Q. About how many people were in this command group there with six or seven of you?

A. Six or seven of my squad, counting myself, the company commander and his RTO and the artillery FO and his RTO.

Q. This was 10 or 11 people.

A. Right, sir.

Q. How big were these rifle platoons, do you recall?

A. At this time we were pretty well up to strength. We had been low prior to this time, on certain people, but at this particular time, if I'm not mistaken, we had gotten some new personnel in, some replacements. In fact, I'm sure

that we had at that time. We had received quite a few casualties by this time, and I'm sure we had received some replacements at this time.

Q. Now, it's my understanding on this march north, on this particular day, that you moved out of this area, you had air cover from two choppers out of brigade headquarters aviation detachment. Does this help click?

A. I think so. I think they gave us cover and fire after we had received sniper fire from the village.

Q. What I'm thinking about and the point I'm trying to get to, really, what all of this has led up to, and I appreciate your concentrating every bit of remembrance you've got. The company is moving along, you're well past the village, 3 to 5 clicks past the village, and you are out along the flat and open country, pretty much flat, open country, rice paddies on each side of the trail, a couple of choppers scouting in front of you and to your flanks to protect you or to help protect you, and up to the front one of these choppers starts circling off to the left. He's almost hovering. He is going in a slow circle at one point. He reports that he has got a guy up there on the ground, seen three of them. Two of them disappeared in a cave or spider hole, but he had this guy fixed. "Come and get the prisoner." Does this ring a bell?

A. Well, this particular point doesn't really ring a bell, because we did this often. We would have someone spot suspects, and they would keep them in sight or try to until we could get to the area.

Q. This chopper had to hover for about 20 minutes out there. Finally two men came up out of the company, and the Viet Cong guy was lying along the ditch in a rice paddy behind one of the little dikes. The two riflemen came up, and the Viet Cong turned and looked at them. You know, he was lying face down, and one of the riflemen bayoneted this guy and then shot him.

A. This man, the prisoner, the Viet Cong we are talking about, was he armed? I don't remember.

Q. The guy was lying face down in the mud, in the rice paddy. He had been held there by the chopper. The two riflemen came up, one of them jabbed him with the bayonet and then shot him. This was witnessed from the chopper.

A. I didn't know anything about this, sir.

Q. Had you ever heard of anything like that down there?

A. No, not to my recollection. I know if the CO, if my company commander, Captain RIGGS, had known anything like this or even heard it, I know he would have raised Cain with the people involved.

Q. Let me tell you what happened. The chopper pilot was so mad that over the radio he chewed the tail off this captain. He exposed the chopper and himself and crew in a hostile environment for a period of 20 minutes to get a prisoner, and then when the ground elements came up, they eliminated the prisoner right in front of him. At great risk to him and a crew, he had tried to corner a prisoner to get information. So you can imagine how upsetting that would be.

A. Right.

Q. So he called the company commander on the radio and wanted to know what in the hell was going on down there, and there would be a long day before he would risk his crew and corner another prisoner. And he went on a tirade. Do you remember anything like that?

A. No, sir.

Q. Would you have been in a position to have known about it?

A. I think if this would have happened, I think I would have gotten word about it down through the people. I was pretty close to the people in my element. The whole company had been together since we had left Hawaii, and we were all pretty close together. And I think if something like this would have happened, it would have leaked down to me or someone else in a command slot, if something like this would have happened. I don't recall it.



Q. The company commander called down to the leading platoon over the company net, and the pilot could hear it and so could the doorgunner. He got the platoon leader on the radio, and over the radio, apparently somebody had the transmission button still down, the platoon leader interrogated the two riflemen that had gone over to pickup the prisoner. And he said, "Why did you shoot him?" And the rifleman said, "Ah-Ah-Ah...." And the platoon leader said, "Did he have a grenade in his pocket?" And the rifleman said, "Yeah, yeah, he had a grenade in his pocket." And this doesn't ring a bell at all?

A. No, sir. I don't recall the incident that happened. I didn't hear anything on the radio like this and from the people. From my people, I didn't hear anything of this nature.

Q. Do you think there was anybody capable, in that company, of pulling something like that?

A. No, I don't think so, sir. The people that I knew and dealt with, I think that they had enough initiative on their own to turn over a prisoner to any platoon leader or platoon sergeant or anybody else. We made this a regular procedure. I know for a fact that my people, if we even got a suspect or a prisoner, which we had the privilege of catching every now and then, especially if we found them in the bunkers and so on, we didn't even harass them. I recall one incident where we caught about four or five real good suspects. They were in a bunker. We didn't know that they were in the bunker at this time. But we had gotten fire from the area right there, and we knew they were there, because we had sent a squad up ahead to scout out the area, so to speak. And they ran across these individuals. They all ran and hid. We got them out of the bunker. It was four or five, and they were all young men, and we didn't find any weapons or anything. We separated them, and they were yelling back and forth to each other, talking Vietnamese. We didn't know what they were saying. We were trying to make them be quiet. So we tried to make them be quiet, but they didn't quit. We tried our best to keep them from talking. But as far as hurting the individual, we didn't hurt them. They were later picked up by the S2 and taken back in.

Q. Was this when you were in the Task Force Barker?

A. Yes, sir.

Q. Do you recall where this incident took place?

A. This was--

Q. (Interposing) About what time in relation to the Pinkville operation?

A. I think this might--I'm not really sure about the time.

Q. Was it before or after Pinkville?

A. It was before.

Q. Much before?

A. No.

Q. Who was the company commander at the time?

A. Captain RIGGS.

Q. Captain RIGGS?

A. Yes.

Q. So as far as you are concerned, your company was pretty uptight about handling prisoners and doing things properly and that sort of thing?

A. Yes, sir, as far as I know.

Q. Was there anybody in the company that was bitter about the Vietnamese civilians?

A. No, not about the civilian population. You mean by civilians, I assume you are talking about women and children and old men?

Q. Yes.

A. And they were not the Viet Cong suspects, they were treated real nice. They were treated as civilians, as women, as children, and as old people.

Q. Did you ever hear of any cases of rape in the brigade, any stories?

A. No, sir, not rape.

Q. Do you have any idea where MARCK would be?

A. MARCK? No, sir, not to my knowledge. He rotated out of the company. He got another assignment to some signal battalion, I think. But I'm not sure.

Q. When do you think he did this?

A. I'm not sure of the date and time.

Q. That's Ernest MARCK, right? He was a PFC?

A. No, he's a SP4.

Q. He got promoted, then?

A. Yes, I believe so. I don't remember.

Q. Can you give me a list of names of the men you think you had with you on this security squad on this operation?

A. I couldn't give you an accurate list, sir, because we rotated the people into the weapons platoon. Some would go out one time, and then we would take a couple of different guys the next operation we had.

Q. I understand you liked it?

A. Well, I would rather be out with the company than back on the fire base somewhere.

Q. You have all the ribbons on your chest that you have been awarded?

A. To my knowledge I do, sir. To my knowledge I do.

Q. You were never wounded?

A. No, sir.

Q. Well, Sergeant BERGE, I want to thank you for coming in and the effort you have made to try to remember everything. I know it's difficult. I'd like to remind you that you are not supposed to discuss this with anybody.

A. Yes, sir.

Q. And I would also like to point out to you, I haven't told you before, there is a question of whether it was your company or not that performed this incident.

A. This--

Q. (Interposing) This picking this prisoner up out of the rice paddy and shooting him, there is a question of whether it was your company or wasn't your company. And you have been very, very helpful. You will not talk to anybody except an official investigating body, either legislative, administrative, or judicial.

A. This wouldn't be anyone back in my unit?

Q. No, sir. Now, it's possible that a CID agent may come down and swear you in and take some testimony of certain questions, and if they did that, it would be perfectly all right. That's official. Or if you come before the congressional committee or something like that, anything you said here, you can tell them.

I would also like to ask you to continue to think about this. You know what I'm after, you know what information I'm looking for. So if you could think of anything that would throw a little light on it that might come to you later on, and it is possible because this has happened. People think more about it, and something clicks in their mind, and they remember certain things.

A. Right.

Q. There is an AUTOVON at your post. You tell them you got information for the Peers Inquiry. They will probably get you to General HAMLIN's office if he's still out there.

Is he still out there?

A. I don't think so, sir.

COL ARMSTRONG: But anyway, you get to one of those phones and call us, and outside of saying thank you, that's it. I appreciate your coming in.

The hearing is recessed.

(The hearing recessed at 1150 hours, 11 February 1970.)

FOR OFFICIAL USE ONLY

SUMMARY OF TESTIMONY

WITNESS: BRACY, Donald E. 1SG  
DATE OF TESTIMONY: 9 February 1970  
PLACE OF TESTIMONY: Pentagon  
WITNESS SUSPECTED OF: N/A  
COUNSEL: None  
DUTY ASSIGNMENT ON 16 MARCH 1968: First Sergeant, A/3/1

1. KNOWLEDGE OF THE OPERATION.

BRACY did not recall the My Lai operation (pgs. 2, 3). He was not out in the field with his company during it (pg.5). He heard nothing about the needless shooting of women and children (pg. 9). He heard nothing about a confrontation between air and ground units (pg. 9). He did not hear of any mistreatment of PW's or noncombatants (pg. 9). He was very surprised when he read about the incident in the newspapers (pgs. 10, 11).

2. OTHER INFORMATION.

Task force headquarters kept the body count statistics (pgs. 9,10). The count went first to the company CP and then task force headquarters (pg. 10).

(BRACY)

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SUM APP T-347

(The hearing reconvened at 1443 hours, 9 February 1970.)

COL ARMSTRONG: The hearing will come to order.

RCDR: The following named persons are present: COL ARMSTRONG and MAJ COOP.

The next witness is First Sergeant Donald E. BRACY.

(1SG BRACY was called as a witness, was sworn, and testified as follows:)

Would you state your full name, grade, Social Security number, branch of service, organization, and station?

A. Donald Eugene BRACY, First Sergeant, University of Missouri at Rolla, ROTC duty, Social Security number: , United States Army.

COL ARMSTRONG: Have you read the preliminary instructions?

A. Yes, sir.

Q. Do you understand them?

A. Yes, sir.

Q. Do you have any questions about them?

A. No, sir.

Q. You should understand that there are other groups taking testimony in a like manner as is being taken from you. All of the testimony will be filed and digested by General PEERS, who alone has the responsibility to come to any conclusions, write the report, and make the recommendations to the Secretary of the Army. You're directed and reminded that you will not discuss with any other witness any testimony that you may give here. Also, I'd like to point out to you that in the event that you may be called before any legislative, judicial, or administrative board of inquiry or a court-martial, any testimony you give here today will not be restricted to just here. You can testify in front of them, and anything you say here hasn't anything to do with what

you'd say to them or anything you want to tell them. Do you understand that?

A. Yes, sir.

Q. On the 16th of March 1968 you were first sergeant of A/3/1, is that correct?

A. Yes, sir.

Q. Do you recall this particular day and this particular incident?

A. No, sir.

Q. I would like to explain to you the operation. The operation involved three companies of Task Force Barker. At that time your company was part of Task Force Barker, basically operating out of LZ Dottie and LZ Uptight. Where was your normal station, sergeant, when the company was actually operating in the field?

A. LZ Dottie was where I stayed most of the time, between there and Duc Pho which was our base camp, our unit base camp.

Q. Duc Pho was your parent unit base camp?

A. Yes, sir.

Q. Were you aware of the operation conducted by Task Force Barker around the middle of March, when they went into an area which was commonly known and called in those days Pinkville?

A. Yes, sir.

Q. If you can recall, and to associate the actual days and the actual operation that we're referring to, this is the one operation in the Pinkville area. Does this put you into a time frame which you recall?

A. No, sir. I can't link the dates with the operation. I recall one or possibly two operations where all the companies were used, but I can't right now orient myself as



to what date it was on or even the exact area.

Q. If you'll come over to this map, I'll try to explain to you what the operation was.

(Witness is shown Exhibit MAP-5.)

One company was to land in My Lai (4), back north to Pinkville. Another company was to land in the vicinity about 1,500 to 1,600 meters south of My Lai (1), Pinkville, and attack north. Two companies linked up on the night 16 March just south of the Diem Diem River. A Company the evening of the 15th, had marched down and bivouacked in an area 2 or 3 kilometers north of the Diem Diem River and then just before daylight took up positions on the north bank of the Diem Diem River, establishing a blocking position to the north. On the 17th A Company moved across the river on the bridge and went into another defensive position just south of the river. That night they were subjected to a sapper attack. The following day they moved back across the river and moved up into the northern portion of the AO where they went on ambush patrols and launched denial operations. Does this recall for you the operation?

A. Yes, sir.

Q. Do you remember in any great detail or in any detail at all the key people who were in the field with the company and their positions? I have particular reference to platoon leaders, platoon sergeants, squad leaders, and communications personnel?

A. Sir, I can't recall. The date of all this escapes me. I do remember the operation. The attack that they had that night stands out. I couldn't say who was in charge of what platoon at that time. We had people going in and out of the unit on leaves and R&R, and at that time we had 3-day in-country passes. The only reason I do know that during this task force we had several people that did go in and out of there, some of them were NCO's. I would be guessing if I tried to name everyone that was in a leadership position there at that particular time.

Q. Well, can you indicate those that you think might or should have been?

A. No, sir, not at this time, not with the information that I have at my disposal right now, and the lack of time I have had to look into this. I'm afraid I can't for sure.

Q. Well, it's not really necessary that you know for sure. It's really a question of thinking back to the roster and trying to figure out who should have been in a particular position for this particular operation? The roster you have in front of you, the roster of A/3/1 as of 16 March 1968, was derived from records in the adjutant general's department. It should be as correct as we can make it. So, if those men were available, they should have been in positions. They may have been on R&R, and therefore other men may have taken their place. We can all understand this. If there's anything you can put in like this, any information you can supply us, it will be very helpful.

A. Now, Sergeant ELLIOT, who was the 1st Platoon sergeant, I think that he was there at that time. Sergeant CHAPPEL also. He was a squad leader, and I'm not sure at this time what platoon he was in on this particular date. We did move people around periodically. When we would receive casualties too heavy in one platoon, we would move him to another. That's why it's so difficult to determine on this one particular operation who was assigned where.

Q. I can definitely understand what a problem it is, but you're doing fine if you can just continue along this way. These gentlemen may not have been in the position that you're talking about, but they may have. Right now we're looking for these individuals who may have been so we can get them and ask them questions.

A. Another name is Sergeant BERGE who was a mortar squad leader. Many times personnel were pulled from the weapons platoon of the company to go along as security for the command group. The company was understrength and Sergeant BERGE went on almost every operation that we had, but I can't be sure. I'm not positive, but I'm relatively sure that Sergeant BERGE was on that operation with several of his men, possibly in along with the command group.

Q. Would you know who would be the company commander's RTO?

A. No, sir. I can't recall who it was at that time. He had a day off, so to speak, pretty frequent.

Q. Do you recall being out in the field with the company on this operation?

A. No, sir. I was not.

Q. You were not on the operation?

A. I was told not to go farther than Dottie.

Q. You were at Dottie?

A. Yes, sir.

Q. Were you at Dottie for the full 3 days? Do you recall that?

A. I couldn't recall for sure, sir. I may have made a trip to Duc Pho and back during that period. I went down there on administrative trips once or twice a week, sometimes by jeep, sometimes by helicopter. I'm not that sure if I was there the whole 3 days or not. I know I was there the night of the attack, the sapper attack, the grenade attack. I was at Dottie that night so I would have naturally been there the next morning also. I did go out the next morning, and I picked up some of the dead and took them to Chu Lai by chopper.

Q. Can you name any of the casualties of this attack or numbers?

A. Not for sure. There was two or three dead, seemed to me. I would think there was two dead at the time. I made many of these trips to pick up dead and wounded personnel. This one I may have confused with another trip. It seems that there were two men killed; it may have been more and may have only been one. It's kind of vague.

Q. Would you like to hazard a recollection?

A. No, sir. The wounded were picked up at night. The dustoff came in at night and picked up wounded as I remember. The dead were the only ones that were left in the field the next morning.

Q. All right. There was an E-5 GRENHAM killed?

A. Yes, sir.

Q. And an E-3 SEVIER?

A. Yes, sir.

Q. The wounded were CRUZ, an E-5, Francis CRUZ.

A. He was wounded, but I don't recall exactly the particular time.

Q. Andy DOUGLAS?

A. DOUGLAS, yes, sir.

Q. Are you sure?

A. I recall him. Yes, sir.

Q. Wayne MCGUIRE, another E-4?

A. I don't remember that name, sir.

Q. James STILES, E-3?

A. I remember his name, but I don't connect it with this particular operation.

Q. Well, actually, according to this record, two were killed and five were wounded.

A. Yes, sir. That's it. That's just about the way I figured it was.

Q. Then you had this pretty well fixed in your mind, this operation?

A. Yes, sir.

Q. Well, I'd appreciate it if you can go and identify anybody else, who they might have been. That Sergeant BERGE is just the kind of thing that I would like to check.

A. Well, I would say that he was a squad leader or acting squad leader at the time, I believe. Even though he may not have been a squad leader at that particular time, I'm sure he was there. And later he became a squad leader. He may not have been a squad leader at that time. Let's keep it that way.

Q. To the best of your knowledge, have all those men rotated home?

A. Yes, sir. Most of these men that were there, we all went together from Hawaii as a unit. I was only in the company 4 days before we moved. I didn't know one or two people in the company when we left Hawaii, but you get to know them pretty fast in combat. You asked about radio operators. He operated the radio off and on almost the whole time we were over there.

Q. For the company commander?

A. He did operate for the company commander several times, but I don't know if it was during this particular operation or not. If he didn't, he would know probably better than me who was operating it.

Q. Did the company have a communications sergeant?

A. Yes, but he was at base camp in Duc Pho.

Q. Do you know who the radio operators were?

A. No, sir. Many times they were changed in the field. He had no communication with the radio operators. We were some 50 miles distant. His communication was from his landline to me, and he was out of contact with any other radio operators that would be out on that operation. So, he wouldn't know who was assigned until he got a roster. Sergeant LAMB, he was an E-4 at the time I suppose. I'm sure he was there that night, the night of the attack. I seem to recall somebody started talking to him the next day. I'm not positive just what it was, but I did. Sergeant LAMB's was the platoon that received the most casualties.

Q. What platoon would that be, would you recall?

A. That's the 2d Platoon.

Q. The way the company commander operated, would you presume then that the 2d Platoon would be at point position the next day?

A. Not necessarily.

Q. If it received the most casualties from the attack the night before, the sapper attack, would he have a tendency to keep that platoon in the main body of the company as it moved out?

A. I think so. Of course Captain RIGGS, I believe, was the commander of the company at that time. I wasn't really familiar with the way he operated because I hadn't been with him long enough. I hadn't had a chance to become familiar with his method of operation. But receiving casualties like that, I would say he would not put it in front of the companies. Again, I couldn't be sure. He may have done just the opposite. Knowing Captain RIGGS, he would put them up there as punishment and that's it. Sergeant RAVENCRAFT, my weapons platoon sergeant, could have been with them that night. He went out occasionally although he was required to stay at the fire base because of being a weapons platoon sergeant. We had mortars, and they normally kept them on the fire base unless it was needed in a particular type of operation. I couldn't be sure whether he was with them. He may have been at the fire base for mortar operations. But I don't recall Sergeant RAVENCRAFT being at the fire base. He may not even have been in the company at the time. He was in the company when we went and he went to battalion with the S2 and then he came back to us again. While he was gone, Sergeant WATANABE was the platoon sergeant. So I can't say for sure about Sergeant RAVENCRAFT, whether he was there at the time or not. Sergeant TUMACDER, he was the 2d Platoon platoon sergeant, and I'm sure he was in the company.

RCDR: Would you spell those names for us please?

A. Sergeant TUMACDER, T-U-M-A-C-D-E-R. He was with us the full time. He was never wounded or a casualty during

the whole year, and he was out, and he was always with the platoon almost the whole time it moved. I remember him for this, always being dependable and being right there when the going got rough. Other than that, that's about all that I can think of that might help. I went with the company on several of their operations, and some of the commanders left it up to me to be where I was needed most. This particular one I did not go on, but I went out to pick up casualties.

Q. Did you hear any talk when you went out there the next day about how the other two companies did on their part of the operation?

A. No.

Q. You heard no comments about needless shooting of women or children.

A. No. I heard nothing of this sort.

Q. Did you hear any comments about confrontation between a chopper pilot and one of the rifle companies, where they went to the extent of training the chopper's machineguns on the rifle company or people in the rifle company?

A. No.

Q. Sergeant BRACY, did you hear how Colonel HENDERSON picked up two Vietnamese thinking they were perhaps prisoners and flew them to Dottie? They found out that they were PF's and they had been captured by the Viet Cong?

A. No.

Q. At any time did you hear about prisoners, improper handling of prisoners, civilian noncombatants, or civilian Viet Cong sympathizers?

A. No, sir.

Q. Who kept track of the body count, the Viet Cong body count, during the company's operations and Task Force Barker?

A. As far as I know, task force headquarters kept the statistics.

Q. The company did not?

A. No, sir. We didn't. We didn't keep any.

Q. When the company killed a VC, it was reported back through normal communications channels?

A. The count would come through to our CP as far as how many weapons were captured by radio. The initial count would be placed always at task force headquarters. And I made no effort to keep an accurate record of the number killed or captured.

Q. Did you recall a body count of at least one on the day following the sapper attack when the company moved north of the river and up into the AO?

A. No, sir. I don't recall. As near as I can recall, there was none. I don't recall anyone giving a body count on the sapper attack.

Q. No. I mean the day following the sapper attack, the operation and the movement of the company north.

A. No, sir. I don't recall.

Q. Sergeant, do you have anything that you'd like to add at all or any questions you'd like to ask or any statements you'd like to make for the record?

A. No, sir.

Q. Then I'd like to remind you again that you will not discuss this testimony with anybody, particularly any future witnesses or any other witnesses. Do not discuss this with anybody outside this inquiry. When this information hit the news media last September or October 1969, do you recall what your reaction was?

A. Yes, sir. I was surprised. I had no idea that anything like this had taken place. Of course, I knew Captain MEDINA, not personally, but I knew him or talked to



him. He'd been in our company throughout those days. We ate in the same messhall. I was just surprised, kind of shocked, if it was true. If something like this did take place, then that was my reaction, complete surprise.

Q. Did you talk to a member of the Americal Division since this has been announced in public. Have you discussed or talked to anybody from division? I mean from the brigade, the company, the platoon, and the battalion, or anybody connected with My Lai?

A. No, sir.

Q. I appreciate that you've been isolated to a great degree.

A. In my assignment I'm kind of--

COL ARMSTRONG: Well, if you have no further questions or don't wish to make a statement we'll recess.

(The hearing recessed at 1516 hours, 9 February 1970.)

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SUMMARY OF TESTIMONY

WITNESS: CARIS, Pat B. SFC

DATE OF TESTIMONY: 13 February 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT: Platoon Sergeant, Second Platoon, A/3/1.

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The witness was wounded in January 1968 and did not return to the field until late March. He did not participate in the 16 March operation (pg. 3). He was with the company for a month and then contracted malaria (pg. 3). He has not discussed the operation with anyone since it came to the public's attention (pg. 4). He knew nothing about an incident in which a VC suspect was killed by EIKENBERRY and DAVIS after being cornered by a helicopter pilot (pgs. 6-8). He knew of no incidents in which PW's were murdered (pg. 8).

(CARIS)

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SUM APP T-362

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(The hearing reconvened at 1307 hours, 13 February 1970.)

COL ARMSTRONG: The hearing will come to order.

RCDR: The following persons are present: COL ARMSTRONG, MAJ APICI, and MAJ COOP.

The next witness is Sergeant First Class Pat B. CARIS.

(SFC CARIS was called as a witness, was sworn, and testified as follows:)

RCDR: Will you state your full name, grade, Social Security number, branch of service, organization, and station?

A. I'm Pat B. CARIS, Sergeant First Class, I'm assigned to the Fifth U.S. Army Instructor Group, with duty station at the Western Military Academy, in Alton, Illinois.

RCDR: You're in the United States Army?

A. Yes, sir.

COL ARMSTRONG: Sergeant CARIS, have you read the preliminary instructions?

A. Yes, sir, I have.

Q. Do you understand them?

A. Yes, sir.

Q. Do you have any questions about them?

A. No, sir.

Q. On my right is Major APICI who is also a member of this investigative committee. I'm Colonel ARMSTRONG. We've been designated by the Office of the Chief of Staff to assist General PEERS in conducting this investigation. General PEERS has quite a staff to help him in this, but it is his

responsibility alone to weigh the testimony that is taken and come to the conclusions and make the recommendations. There are other groups, such as this, taking testimony from witnesses. So far over 350 witnesses have been examined. General PEERS and several of his people have gone to Vietnam and interrogated Vietnamese, have visited all the pertinent headquarters and the physical area. The way I wish to conduct this is to go off the record after a period in which I will, in great detail, brief you as to the operation of Task Force Barker in the middle of March 1968, with a view to refreshing your memory in the hope that you can remember in detail some of the portions of the operation. We are very informal in this type of investigation because we're a team that's trying to get information from each other. I'm hoping by giving you certain little pieces of information, a little bit at a time, that will lead you into remembering on your own. I have no desire at all to try to put any words in your mind or in your mouth. Do you understand that?

A. Yes, sir.

Q. Would you tell me what your position was, Sergeant CARIS?

A. I was the platoon sergeant of the 2d Platoon, A Company there.

Q. You were the Platoon sergeant, 2d Platoon, A Company, 3d Battalion--

A. (Interposing) 3d Battalion, 1st Infantry.

Q. What were the dates you were in Company A?

A. I was assigned to the brigade when they first got activated in Hawaii and was in training there.

Q. What was this date?

A. I'd say about April 1966.

Q. April 1966 . . . joined the brigade?

A. The brigade, yes, sir. I wasn't there when they actually activated the outfit for Vietnam.

Q. Well let's go from about December 1967, and tell me what happened and what your service with the brigade was.

A. I was still a platoon sergeant of the company when we landed in Vietnam. In January we were in training for a period of about 1 month in a sort of secluded or fairly safe area near the beach, along the beach on the South China Sea. And on 19 January I got wounded. The squad leader in back of me stepped on a mine and I got the shrapnel in the back of my arm and was hospitalized for, oh, about a month and a half. I wrote to one of the other platoon sergeants in the company. When they first formed this task force I had no knowledge of it because I was in the hospital. Then, I was recuperating down in Cam Rahn Bay. The other sergeant told me that the company no longer worked for the brigade, that they had formed a task force and they were part of the task force. I got out of the hospital in early March, and I stayed back there in the brigade rear for about a week, gathering all my clothing and what have you. I had to straighten up all the equipment I had and I rejoined the unit in LZ Dottie. I was there 2 days when this operation had gone so I actually didn't go on that particular operation. I was back in the company rear then in LZ Dottie. I stayed there and to my knowledge I had no knowledge of what was going on because I stayed primarily in the tent area. We had a little rest camp that we built, three tents in there. I remember the company going out on that particular operation. So I stayed back there for about another week or two picking up my strength and then going with the unit again on the daily operations.

Q. You recall what date that you went back to the field?

A. Oh, it was the latter part of March, I think, that I started going out on operations. Until then I stayed back in.

Q. Okay, let's say you're back with the company, go ahead.

A. Yeah. I stayed with them for about another month while we were still operating up in that task force and I contracted malaria and went into the hospital again. This same buddy that wrote to me kept me in contact as to what's happening back there. He told me the task force had disbanded and

that they were back with the brigade in the Duc Pho area. I rejoined them again when I came out of the hospital after the malaria, at Duc Pho again.

Q. All right. Let's go back to September and October of this past fall, 1969.

A. All right.

Q. Just this last fall. Where were you stationed then, at Western Military?

A. Western Military, yes, sir.

Q. All right. Since September-October, when the Pinkville or My Lai incident hit the news media, have you talked to anyone from the old company or the brigade?

A. No, I haven't. No, sir. There is only two of us active Army there at the academy, a captain and myself. There's no other individuals there.

Q. He's not an Americal Division officer?

A. No, sir. He's from the old 1st Infantry, I believe.

Q. So since that time you have not spoken to anyone about this incident who might have been connected with it?

A. No, sir.

Q. All right.

(COL ARMSTRONG oriented the witness as to the operation as it was known to have occurred.)

Now, Sergeant CARIS, I've outlined on the map the operation of Task Force Barker during the period of 15 to 26 March as it pertained to A Company, Bravo Company and Charlie Company. Would you explain where you think you were during this period and why?

A. Shortly after Captain SHELTON got hit, Lieutenant JONES had assumed command. We had moved up to LZ Uptight.

It was there that Captain RIGGS assumed command of the company. We had daily operations from LZ Uptight. We always laagered up at LZ Uptight for the night. We had a few squad ambush-type operations at night. That's as far as I remember, then I felt the symptoms of malaria on me, nauseous, periodic high temperature and sweating, periodic sweating and things of this nature. They thought I had contracted malaria. They had sent me back to LZ Dottie where we had set up a dispensary there. The Captain thought I had malaria. Then they were pretty sure it was malaria and evacuated me all the way to Chu Lai. I wouldn't know exactly what month it was. I stayed there and then was shipped to a hospital for my treatment of malaria. When I returned to the unit they were back in the Duc Pho area operating in our battalion AO.

Q. Do you recall the date you returned to the unit after the malaria treatment?

A. March or April or May, I'm not sure on that.

Q. You mentioned Lieutenant JONES, what ever happened to Lieutenant JONES?

A. Well he was a platoon leader in the company. He was always a platoon leader.

Q. What platoon leader, which platoon?

A. He had the 3d Platoon of Alpha Company.

Q. Do you know what ever happened to him? Was he there when you returned from malaria?

A. Yes, sir. He was there.

Q. What was Lieutenant LUNDEEN's position in the company?

A. He was the weapons platoon leader when I was there.

Q. Was he also some kind of executive officer?

A. Yes, sir.

Q. Now, I'm going to describe an incident that took place in the company while you were gone, presumably while you were gone, hoping that you can recall somebody telling you about this. I'll feed it to you little by little to see if you can remember it. I'm making the assumption that you were gone when this occurred. The company has finished the Pinkville operation and has not yet moved back to Duc Pho. This is the day of 18 or 19 March and they're moving across country. They are covered with a couple of choppers, route marches. This ring a bell with you?

A. No, sir.

Q. One of the choppers is flying low and one of the choppers flying high. These are the H-23-type now, not the slicks.

A. I don't remember, sir.

Q. They're being used as reconnaissance and protection. Does this happen very often?

A. No, sir, not that I know of.

Q. You don't particularly remember choppers flying cover for you?

A. We had on one incident. We had the Phantoms where Captain SHELTON went on that operation when he got wounded. I think it was an extended operation of about a week or two and they had the Phantoms. Charlie Company or Bravo Company made contact across the river and they called an air strike on it. We went in to check the results of the air strike after the whole thing was over. That's why I think on that particular day that evening that Captain SHELTON got hit and I was pinned on the bridge and he was across the way when he got hit.

Q. Do you remember the day that EIKENBERRY and DAVIS went over and captured a Viet Cong who had a carbine and then DAVIS later on was wounded?

A. No, I sure can't remember that.

Q. You remember DAVIS?



A. I know EIKENBERRY. If I see him, I will probably remember who he is, but--

Q. (Interposing) He was "Little Tom." A good friend of EIKENBERRY's.

A. The name sounds familiar. I can't seem to get a picture of him.

Q. Okay. The time I'm trying to describe to you the company was proceeding along and the choppers were flying cover for them, out in front and to the flanks. The company was going across a rice paddy area and one of the choppers started hovering. It called and said they had a VC cornered and wanted somebody to come and get him. You remember this?

A. No, sir.

Q. And two men went out from the company, presumably from the lead platoon. They got up to him and one of them jabbed him with a bayonet and then shot him while he was laying there.

A. Well, I sure don't remember that.

Q. This made the chopper pilot real mad. The warrant officer pilot chewed out the captain company commander, because the warrant officer had kept his chopper hovering practically for 20 minutes in that area exposing his equipment and his crew, to get a prisoner. Then these two men went out and shot the prisoner.

A. Well, I sure don't remember that.

Q. Now that would make the chopper pilot real mad, you understand why?

A. Sure.

Q. He chewed out the company commander and the company commander called the platoon leader. The platoon leader turned around and asked the rifleman, "Why did you shoot that that guy?" And the rifleman says, "Ah, ah, ah, ah, ah, ah, ah, ah," and the platoon leader says, "You mean he had a grenade in his pocket?"

The rifleman says, "Yes, he had a grenade in his pocket." Now this came over the air. If this would have happened, do you think you would have heard about it?

A. I'm pretty sure I would have. I'm pretty sure I would have.

Q. Because this came over the radio. They heard it in the chopper. Not only the pilot heard it, but the gunners heard it. The doorgunners heard it.

A. Well, I sure can't remember that. I don't recall that, no, sir.

Q. You know of any incident where prisoners were murdered?

A. No, not to my knowledge. I actually only remained there I think a short length of time during the operations of Barker. I completed that operation with Captain SHELTON when he got wounded, and I'd say about 3 or 4 days while we were up in Uptight and that was all. I'd say at the most on operations with Task Force Barker I spent possibly about 2 weeks, at the most, because I was either coming out of the hospital or going into the hospital during that period.

Q. A Company was with Task Force Barker about 7 weeks as you will recall.

COL ARMSTRONG: Well at this time I'd like to point out to you, Sergeant CARIS, that you are reminded that you are not to talk about what's gone on in this room to anyone except a judicial, legislative or administrative investigator. I would also like to say if you have any documents, pictures, anything like this of that area that would be helpful in this investigation we would appreciate you sending them to us. If you do, we will duplicate them and return the original right back to you. I don't anticipate that you'd be called before any of these investigating groups, but if they are official, anything that you've said here can be said in front of them. There is no restriction on that. I would also like to thank you for coming. If we knew you weren't there, we probably wouldn't have called you at this time. I appreciate your coming in. I will say again you are directed not to discuss what went on here today.

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A. Yes, sir.

Q. I appreciate you coming in.

A. Will you be needing me further?

Q. I don't think so, but we will have to check.

We will recess now.

(The hearing recessed at 1342 hours, 13 February  
1970.)

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SUMMARY OF TESTIMONY

WITNESS: CHAPPEL, Herbert L. SSG

DATE OF TESTIMONY: 13 February 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: Platoon Sergeant,  
Third Platoon, A/3/1.

1. THE COMBAT ASSAULT.

a. Actions on the 16th.

They moved into blocking position on the 16th (pg. 7). Two men from CHAPPEL's platoon were killed by booby traps that day (pg. 7).

b. Actions on the 17th.

The platoon moved across the river on the 17th and searched the beach before joining the company (pg. 9). That night they were hit by grenades and two men were killed (pg. 9).

c. Actions on the 18th.

Lieutenant Colonel BARKER came to their position on the 18th and "investigated the area" (pg. 10). The company then searched a village where they found some uniforms (pg.10). As they began to move across the river they received some sniper fire which pinned down the company for awhile (pg. 11). CHAPPEL deployed a squad to put down the enemy fire so the company could get across the bridge (pgs. 11, 12). That night CHAPPEL's platoon guarded the bridge (pg. 13).

(CHAPPEL)

1

SUM APP T-364

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d. Actions on the 19th.

The witness remembered that the helicopters which were flying cover that day cornered a VC with a carbine (pg. 16). The pilot wanted the webbing (pg. 17). He did not remember a similar incident in which the suspects were killed thus causing an air to ground argument between the pilot and the company commander (pgs. 17, 18).

2. OTHER INFORMATION.

The witness had not discussed the 16 March operation with anyone since it became a matter of public knowledge (pg. 6).

(The hearing reconvened at 1442 hours, 13 February 1970.)

COL ARMSTRONG: The hearing will come to order.

RCDR: The following persons are present: COL ARMSTRONG, MAJ APICI, and MAJ COOP.

The next witness is Staff Sergeant Herbert L. CHAPPEL.

(SSG CHAPPEL was called as a witness, was sworn, and testified as follows:

Will you state your full name, grade, Social Security number, branch of service, organization and station?

A. Staff Sergeant Herbert L. CHAPPEL, Jr., Social Security number \_\_\_\_\_, Army, Bravo Company, 5th Battalion, 1st Brigade, Fort Jackson, South Carolina.

COL ARMSTRONG: Sergeant CHAPPEL, I'm Colonel ARMSTRONG and I've been designated by the Office of the Chief of Staff to assist General PEERS in this investigation.

A. Yes, sir.

Q. Major APICI has also been designated by the Office of the Chief of Staff to assist. You should know that there are other groups taking testimony like this and we have civilian attorneys who have volunteered to help the Secretary of the Army in this investigation.

A. Yes, sir.

Q. General PEERS alone has the responsibility to digest the testimony, write the report, and come up with the conclusions and recommendations. General PEERS and a small group of his people have visited Vietnam, have been over the so called My Lai-Pinkville area. They visited the Americal Division, the brigade headquarters, LZ Dottie, LZ Uptight, walked across My Lai (4) and saw just about everything that can possibly be seen. No stone is being left unturned, looking to see what happened in that particular period of time.

A. Yes, sir.

Q. That's because the honor of the United States Army, it's men and reputation is at stake in this thing. It's highly important that all of us do what we can to bring the facts to light. As such you've been asked to come in here, not because we think that you have pertinent information, but perhaps you can fill in just a small little niche that we need to confirm or not confirm certain facts. I will shortly go off the record and when I do I will brief you on the operations of Task Force Barker, to try to focus your thinking back 2 years.

A. Yes, sir.

Q. Which we appreciate is an extremely difficult thing for anyone to do. There isn't any one of us in this room that would like to be held accountable for remembering what he did 2 years ago the day before Valentines Day.

A. Yes, sir.

Q. We know that this is very difficult. But of the witnesses that have appeared before us, some of them remember a little bit more than others. Some of them see it from a different angle, something happens that makes them recall it to memory. We know this happened on a Saturday and the next day was Easter; this may click with some people. Some people may remember a buddy getting it. They associate it with different things. To some people the operation is more clear than to others. So I will go over and try to bring you along a little bit, feeding you information, bit by bit, hoping that it will jar your memory. I'm hoping that you can really think and come up with something, some little detail that you don't even think is important, but which may be. Consequently this has got to be a rather informal thing in the way that we are conducting this investigation for we want you to feel completely at ease and really concentrate on every thing in thinking back and trying to recollect what happened in that particular period of time. Before we do this I'm going to ask you a couple of questions which are for the record and are necessary to sort of lead you into it and start your thinking process a little bit.

A. Okay.

Q. Would you please explain to us the dates and the duty positions you held while you were with the 11th Brigade and the Americal Division in Vietnam, and the date you terminated that service?

A. Well, sir, I left Hawaii with the 11th Brigade and the date I think was November, I believe in the 20's. I don't remember the exact dates and we joined the Americal Division in Vietnam.

Q. When did you land in Vietnam; do you recall that?

A. Yes, sir, we were on the water 20--

Q. (Interposing) So it was in December 1967 that you landed in Vietnam?

A. Yes, sir.

Q. What was your job?

A. Platoon sergeant, sir.

Q. In what company--what outfit?

A. A/3/1.

Q. That's the 3d Battalion of the 1st Infantry?

A. Yes, sir. I was the 3d Platoon sergeant.

Q. You were the platoon sergeant of the 3d Platoon?

A. Yes, sir.

Q. All right.

A. I left 11 July 1968 I believe. I believe it was the 11th.

Q. All right.

A. And during that time of course I--

Q. (Interposing) Where did you go?

A. I came back home, sir, then I went to--

Q. (Interposing) You rotated home?

A. Yes, sir.



Q. In July?

A. Yes, sir. Because I was in Hawaii with the 11th Brigade and they knocked, I think, 3 months or so off of my tour. I was with the 11th Brigade during that time.

Q. All right.

A. Most of the time. Although, where I'm at now is Fort Jackson, South Carolina.

Q. But basically you were platoon sergeant of 3d Platoon, A/3/1?

A. Yes, sir.

Q. From the period of December 1967 to the middle of July 1968 when you returned to the States, were you absent at any time during this period?

A. Yes, sir. I had malaria. That was in May 1968.

Q. How long were you not for duty?

A. Twenty-seven days, sir, away from the unit. During that time I came home from the hospital, my father died. I was up at Cam Ranh Bay during the time I was absent, then prior to that I took a 6-day R&R to Australia.

Q. And when was this; do you recall?

A. Well, it was right before I had malaria, 6 May I believe.

Q. Sometime after the first of May you went on R&R?

A. Yes, sir. for 6 days. And I came back and after 2 days I believe. I come down with malaria.

Q. Who was your platoon leader then at that time?

A. Lieutenant BOYLES to start with, sir, and he got hit in the arm--

Q. (Interposing) Do you remember when he got hit?

A. I think 3 months after we'd landed over there but I don't remember the exact date.

Q. Okay. Was it around Tet in early February maybe?

A. Right, sir. We were setting up a blocking force at the end of that village; I don't remember the name of that village. We had two companies on a push, our company was on the blocking force, I think that's it. It had been tore up pretty bad. The French buildings in there had been blown up and so forth. So we lost him during that time; I don't remember the date.

Q. It was right around Tet?

A. Right, sir.

Q. Okay. Then who did you have?

A. Lieutenant ARCHIBALD.

Q. How long did he last?

A. Well, sir. He got hit but he came back to us again. He was there when I left.

Q. Okay, but he got hit earlier?

A. Yes, sir. He got hit in the hand with shrapnel from a grenade.

Q. Okay.

A. But he was only out for about a week or so. It wasn't nothing for it wasn't that serious, for he came back on duty. When he got hit, I was in the hospital during that time.

Q. Do you remember Lieutenant WHITE?

A. Yes, sir.

Q. Was he ever your platoon leader?

A. Just for a fractional period of time. In other words it was just a few days he was there. Then they switched. He was changed, went somewhere else, I believe.

Q. Lieutenant LUNDEEN?

A. Lieutenant LUNDEEN was XO. He was my platoon leader for a while and then he took over the company for a period of time when Captain TRINKLE got hit. He took over the company for a short period of time.

Q. What about Lieutenant JONES?

A. Lieutenant JONES was 1st Platoon, 1st Platoon leader. He rotated out as soon as he got the malaria.

Q. What about Lieutenant COKER?

A. Oh, yes, sir. I recognize him. Lieutenant COKER was there just for a while; they were switching around. Then he left and went to MACV. And then Lieutenant ARCHIBALD took his place in the platoon.

Q. But at one time or another all of these people were your platoon leader?

A. Yes, sir.

Q. All right. Let's switch our mind quickly now to this past fall.

A. Yeah.

Q. September or October when the news media came out announcing about the huge massacre or the killing of civilians at My Lai or Pinkville? Do you remember that?

A. Well known.

Q. You remember this back last fall when this came out in the news? Since that time have you talked to anyone from the old outfit or the brigade or the Americal about what happened there?

A. No, sir. Actually until this day I hadn't seen anyone I was with over there.

Q. So you really haven't discussed this with any of your old buddies?

A. No, sir.

Q. At this time I would like to orient you to the operations of Task Force Barker during March of 1968.

(The witness was oriented using MAP-4 and Exhibit P-1.)

Sergeant CHAPPEL, I briefed you on the general operations of Task Force Barker for the period of about 15 March to about 27 March. Would you tell us what you remember of this operation?

A. Well, sir, during that period, I'll start from where I can remember. The day prior to losing that squad of men, I was setting up a blocking force when we had set up before firing across the river and I lost two of my men--three men, as it were, one of my machinegunners and assistant gunners, on a boobytrap.

Q. When was this on the 15th?

A. The day prior to losing those men in the....

Q. All right. So this is 16 March. This is the first day you moved into the blocking position?

A. Yes, sir.

Q. You lost how many men?

A. I lost two men on the gun and an RTO, a radio operator, on boobytraps.

Q. Can you name the radio operator?

A. No, sir, not right off I can't. I can remember the machinegunner.

Q. What's his name?

A. COOK.

Q. COOK?

A. Yes, sir.

Q. And who else?

A. His assistant, he was a new guy and hadn't had it long.

Q. All right.

A. And then after that--

Q. (Interposing) Was COOK evacuated?

A. Yes, sir. He died on the way in. He got hit in the back. He got the most of it in the back. The word we got was that he died on the way in. Anyway, we loaded those two up and the chopper took off we started back into position and that's when the radio man stepped on another one, got his foot, so we called the same ship back. They came back and picked him up.

Q. Was that MOORE?

A. Sir?

Q. Was that MOORE?

A. Right, that's the radio man.

Q. Could it have been MILLER?

A. No, sir, MOORE.

Q. MOORE? That was your radio man?

A. Yes, sir.

Q. Okay. Keep going.

A. And then we moved over across the river and we spotted, I believe sir when--

Q. (Interposing) When did you move across the river?

A. Sir?

Q. When did you move across the river?

A. The following day after that, or that evening one, I don't remember. Either the next morning or that afternoon. No, that afternoon. Because dark was about to get us there and that's when we bedded down. We bedded down in the same

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Q. Okay. Keep going.

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place we ate chow and it was the first time that we had done that in a good while. Anyway, prior to that we spotted some men in uniform so we called to find out if any of the ARVN's were over there. They said no, so my platoon went down. I was the lead platoon and we went down and searched this area out and this village. This was fine--

Q. (Interposing) Was this across the river?

A. Yes, sir. Then we came back and joined the rest of the company in a little wooded area sitting right out there in the rice fields. And we ate chow and then we bedded down. That night everything was pretty quite, you know, and everything opened up all at once, a 79 on my right, small weapons firing at the woodline, and then some thrown grenades. At the time we thought it was mortars. The next morning come to find out it was grenades; they had slipped right up on us.

Q. Do you remember the men who were killed there? Were they in your platoon?

A. No, sir. This was the whole weapons squad of the 1st Platoon.

Q. It wasn't the 2d Platoon?

A. Sergeant ELLIOT's platoon I believe. I was thinking it was the 1st, it may have been the 2d. And we evacuated them out that night, brought the helicopter in with flashlights. Other than the two dead, we couldn't get them aboard.

Q. Okay. When did you get those out?

A. The next morning, sir.

Q. Who got them out?

A. Sergeant ELLIOT called the ship back in. And then when he--

Q. (Interposing) Did the first sergeant come along with them? Did Sergeant BRACY come in with the ship?

A. Yes, sir.



Q. Do you remember him being there and taking those bodies out of there?

A. I remember him coming in. I know he came in on the ship. I don't know whether he went back with it or not. Then the colonel came out and investigated the area.

Q. Which colonel? Colonel BARKER?

A. BARKER, yes, sir.

Q. He came out to see?

A. Yes, the next morning. At first we called and told them we were getting mortared, and the company commander called him back the next morning and told him what it was, and he came in and checked the area. He didn't stay but a short time.

Q. Who was the company commander at this time?

A. Captain RIGGS, sir.

Q. You remember Captain RIGGS being the active commander?

A. Sir?

Q. You remember Captain RIGGS specifically commanding the company at this time?

A. Yes, sir.

Q. You're right.

A. And then that day after we had everything squared away we moved up and searched this village out. We found some uniforms and so on and so forth; I don't much remember and a little bit of--

Q. (Interposing) And where was this; back up across the river now?

A. North....

Q. North of the river?

A. Right. Now we are still on the same side.

Q. Okay. So you're down on the same side of the river that you got the grenade attack on?

A. Right, sir.

Q. Okay.

A. And we searched the village, pulled out of it. I'm almost sure we started back. No, prior to going back across the river we searched this other village out and it had been burnt partially. Some of the men, I don't remember how many, went up above us and checked that area out and came out with nothing new, I mean that we didn't have any action at that time. We started back across the river and I was lead platoon. I got across and the majority of the rest of them got across and a sniper opened up back out in the rice fields. And they pinned down the captain on the bridge at that time and I sent my men up to give them some cover fire and we finally got them off the bridge. Then I believe we bedded down. We did but I don't remember where we stayed at. I don't remember whether that was the same time or not. But anyway if it was we bedded down about I guess 1,000 meters the other side of the river after we got across. I don't remember if this was the same time or not; we made so many trips in there. But that's what I recall; we got both encounters on that same bridge there.

Q. You did not lose Captain RIGGS there?

A. No, sir. But we lost Captain TRINKLE.

Q. Captain TRINKLE?

A. Oh no. I forget his name. He only stayed with us about 2 or 3 weeks and he got hit. He had been hit before prior to coming to us. What was his name? SHELTON it seems like, Captain SHELTON.

Q. Captain RIGGS took over from him?

A. That's right.

Q. But this was RIGGS that you relieved the sniper fire from when he was on that bridge?

A. Yes, sir. We had already lost two company commanders on that damn bridge.

Q. And you didn't want to lose another?

A. Right, sir. Captain SHELTON, I mean he seemed like he was real nice. I hated to lose him. Of course I hated to lose any of them.

Q. He was a good company commander?

A. Yes, sir.

Q. All right. Then you went back across the bridge, sniper fire pinned Captain SHELTON down--Captain RIGGS?

A. Captain RIGGS, sir.

Q. You relieved the sniper fire. This more or less committed your platoon, you deployed it?

A. Then I--

Q. (Interposing) The rest of the company then could move on?

A. Right, sir. I deployed mine over the same bank where we lost them men when we moved into that blocking force along there. And I believe, I'm not for sure, whether it was this time or not we bedded down up above there and moved out before daybreak the next morning.

Q. Well, you bedded down that night, this is the night you're talking about, on Hill 108. Now what I'm trying to discern is how you got to Hill 108? I will show you where Hill 108 is (pointing out location on map). You can see it right?

A. Right.

Q. This is where you are. This is where you went into position when you got grenaded?

A. Right.

Q. Then you went over to these villages and cleaned them out?

A. Right, sir.

Q. Went back in, crossed this river here, across the bridge again?

A. Right, sir.

Q. This is where you got sniped at?

A. Right.

Q. Now you walked all this way? You walked?

A. Right, we walked.

Q. Do you recall this?

A. Not clearly, sir. I vaguely remember moving across the river.

Q. Did the company move on out after you'd deployed a squad to relieve your company commander?

A. Right, sir. We moved out.

Q. The company moved on out, right?

A. Right, sir.

Q. Did your platoon still lead or did they let another platoon lead?

A. I was left behind to guard that bridge that night, my platoon, and we caught one man coming across. The rest of the company was back with the mortars, back behind me, back behind to the left. My platoon stayed there as more of a guard on that bridge. And we picked up one man and they decided that he didn't know anything; anyway they didn't take him in. But we stayed there overnight. We joined the rest of the company and we moved out farther on back. I don't remember exactly where.

Q. Up past Uptight is my understanding. Pretty long march?

A. Right, sir.

Q. Who was leading that day?

A. I was, sir.

Q. You were leading again?

A. Right, sir. I lead most of the time. Especially when it would get hot.

Q. Okay.

A. About every time the 1st Platoon would start leading they'd get us lost. They didn't know too much and people like me didn't want the platoon leading out anyway, but actually--

Q. (Interposing) Was Sergeant WATANABE on this mission?

A. I don't know if he was on that particular one with us or not, sir.

Q. Was he a platoon sergeant?

A. He was the weapons platoon sergeant.

Q. He was the weapons platoon sergeant?

A. Yes, sir. Towards the last there. To start with when I first joined them WATANABE was my first sergeant and then right before we went across Sergeant BRACY came in.

Q. Right.

A. And WATANABE went to a platoon, as the weapons platoon sergeant.

Q. All right. And who was RAVENCRAFT?

A. Well, he was in between, he was weapons platoon sergeant at the time, part time.

Q. And what was in the weapons platoon?

A. It had the mortars, sir.

Q. It had just the mortar section?

A. Right, sir.

Q. Did you have any machineguns in there or did you have a machinegun squad in the platoon?

A. No, sir. We had two machineguns with each platoon.

Q. Each rifle platoon?

A. Right, sir.

Q. So your weapons platoon--

A. (Interposing) Was just the mortars.

Q. Just your mortars?

A. Yes, sir. They usually stayed in the rear. We didn't take them. We took them sometimes but hardly ever would we take them with us.

Q. Remember Sergeant BENGGE?

A. Right, sir. He worked with the mortars.

Q. All right. Remember him along on this operation being security element for the company commander or the company command group?

A. I don't know on that operation whether he was there or not. Not right offhand.

Q. Do you remember Sergeant EIKENBERRY?

A. Right, sir. He was in my platoon

Q. Good man?

A. Good point man.

Q. Good demo man?

A. Yes, sir. He carried the demolitions, and all the way around he was good too.

Q. Do you think you were leading going up out of this area up past LZ Uptight?

A. Right, sir.

Q. All right, now let me ask you this, do you remember the Primo birds?

A. What, sir?

Q. The H-23's?

A. Well actually we've had them a lot of times. We'd run into something and they'd come in for investigation, fly around, and try to spot them for us.

Q. In other words, scout for you, cover for you?

A. Right, sir.

Q. You say a lot of times?

A. Right, sir.

Q. Did they do this quite often?

A. Well a few times anyway, sir.

Q. Few times?

A. Yes, sir.

Q. Not this operation, but do you remember another operation where one of those 23's or a pair of them because they always flew in pairs, one low and one high--

A. (Interposing) Right, sir.

Q. Where one of these 23s cornered at Viet Cong with a carbine?

A. We went over--right, sir. They called and we went over.

Q. EIKENBERRY went over and brought the guy back with his carbine?

A. Right, sir.

Q. Remember that?

A. Right, sir.

Q. Another time, and that's when I think this happened, out to the front of the company, reasonably far out-- this chopper, one of these Primo birds started circling real close to the ground. The call came down he had a suspect cornered, had him pinned down.

A. Right, sir.

Q. Can you tell me about that incident?

A. Well, sir, not really. I don't remember who it was went over and policed.

Q. What do you mean policed?

A. He went out there and got him.

Q. What do you mean?

A. The bird held him down in other words and called for somebody to come over.

Q. Yeah.

A. But I don't remember even if he had a weapon or what type. I just don't recall.

Q. Do you remember when it was over the pilot being real angry?

A. One time the pilot was wanting the webbing, and came in there. I don't remember whether that's the same time or not. I believe that's the one EIKENBERRY got; I'm not for sure. And the pilot wanted the webbing.

Q. You remember one when the pilot got real mad and chewed out the company commander for what happened to this man?

A. No, sir. I don't.

Q. The pilot was out there with his aircraft for about 20 minutes. He called down and said, "I've got one pinned down; come and get him." Two men went out there from the company. Presumably it would be the lead platoon wouldn't it?



A. Right, sir, though I'm not sure.

Q. A guy went out. It was off to the left of the direction the company was going, actually in this case it was the west. Two men went out there, a couple of shots were fired, the two men rejoined the company. The company commander called down what happened, "He was a Cong; we killed him."

Then the pilot said, "What do you mean murdering that guy? I've been here in the air for 20 minutes pinning this guy down, trying to get you a prisoner, exposing my aircraft, myself, and my crew. When you guys walk up, you murder him. Why?"

Do you remember ever hearing anything like that?

A. No, sir.

Q. The pilot then heard over his radio, the following type of conversation. He apparently was in on the company command net for the platoon. The company commander called the platoon leader, "What happened?" The platoon leader apparently held the transmission power on and turned on and said, "What did you guys do?" He heard a guy stammering and the platoon leader said, "You mean he had a grenade in his pocket?" And loud and clear, "Yeah, he had a grenade in his pocket." And the platoon leader calls the company commander and says, "It was a Viet Cong; he had a grenade in his pocket." The pilot says, "It will be a cold day in hell," or words to this effect, "before I ever pin down another one and risk my life for you guys," and flies away. Did you ever hear anything like that?

A. I never heard anything about that.

Q. Could that have happened in your company?

A. Sir?

Q. Could that have happened in your company?

A. I wouldn't think so, sir.

Q. You could understand why the pilot would be mad?

A. Sir?

- Q. You could understand why the pilot would be mad?
- A. Well, sir, I understand, but if he didn't have any weapon I can't see why we'd kill him.
- Q. He walked up to this guy, the guy turned his head and looked up at him, and he jabbed him with a bayonet and them shot him with two rounds right through the head.
- A. I don't know anything about that, sir. It looks to me like I would have heard about it.
- Q. I would think so too. Can you think of any incidents like this that ever happened that you heard about?
- A. No, sir. I didn't know of any that was killed in other words unless we were in a battle or something and killed them. We captured all kinds with weapons and all without killing them. But of course again, you know, if you have to, you have to.
- Q. You have to?
- A. Right, sir.
- Q. Let me put it this way, would you consider that wrong?
- A. To kill an unarmed? Yes, sir. Yes, sir, definitely.
- Q. When this stuff hit the newspaper about Pinkville and C Company, what was your reaction to it? As an individual what did you really think?
- A. Well, sir, memories came back of all the battles I've had and we lost a lot of men in that place. One operation when we were in that graveyard we got pinned down with mortars. I got down; I had 16 men. We hit a lot of boobytraps and that's when we got them out of those tunnels. They were all tunnelled in. And all of those bombs; they had 500-pound-bomb boobytraps in there.
- Q. When was this?

A. I don't remember the time; one of the operations, sir. That's when we really first got into the main body of where the big buildings were at and they had their tunnels lined with brick. Then we found one carbine down in there after we got in and we found a cache of mortar rounds. We stayed around there and got the engineers in there to blow up the boobytraps, so on and so forth, and put these crystal-type gas in the tunnels. Then we moved across the river and that's when we caught a lot of those nurses. I think it was 9 or 11 that got out of a well which was an exit for a tunnel.

Q. What did you do with the nurses?

A. We shipped them out, sir. We had an interpreter that came out trying to get some information. That's when one of the companies, I'm not sure, I believe it was Bravo Company, on the other side of the river, up the river, and all these people--some of the men went up on top of a hill and they seen a bunch of men taking off. So we took off up through there and tried to catch them. They started towards Bravo Company. And they opened up and there was only one dead and the rest of them got away. We came back and stayed in that village that night. I'm not sure, but I think we did.

Q. Can you point this area out on the map, that this happened?

A. Right. It's right across from Pinkville. There's a lot of water in there and a little island not far from the shore, right in this area in here (indicating on map).

Q. Who was company commander then?

A. Ah....

Q. During that operation?

A. We had a Captain TRINKLE I think it was, it seems like.

Q. That wasn't the time that he got hit?

A. No, sir.

Q. This was before then?

A. Right, sir.

Q. Okay.

A. I'm almost sure.

Q. But your reaction--

A. (Interposing) I'm positive now he was company commander at that time. I believe he was; I'm not rightly sure.

Q. Let's go back to when this news came out last fall. You say you immediately started thinking about your old operations in that area?

A. Yes, sir.

Q. Were you surprised by this news that there had been a lot of killing of civilians?

A. Well, sir, I didn't even understand it and really didn't realize what was going on at that time.

Q. You mean this did not surprise you? You thought that this could have happened knowing rifle companies over there and rifle companies in that sort of area and the way men think and so forth?

A. No, sir. I knew that things happen but it would be easy done without knowing, because we received a lot of fire getting into a village and some of those villages are concealed in the trees and actually you can be firing into houses.

Q. Well you know how that this could happen accidentally and kill people?

A. Yes, sir.

Q. But actually that isn't what it said. It said that these people were gathered up and mowed down.

A. Yes, sir, but I know you can't pay any attention to the news all the time or you'll never get the true picture.

Q. In other words you didn't believe that?

A. No, sir.

Q. All right.

Q. Sergeant CHAPPEL, I appreciate your coming in and I want to thank you for it. You have been very helpful. I've got a few things that I'd like to caution you about: don't talk about what's gone on in this room with anyone. Particularly anybody who may be a witness in this or become a witness in this investigation, unless you're called before some official administrative, legislative, or judicial investigation.

A. Yes, sir.

Q. Then you're permitted to talk of course. What you've said here doesn't keep you from testifying there.

A. Yes, sir.

Q. If you happen to have any photographs, papers, maps, this sort of thing, of this area about that time, we'd appreciate you sending them to us. We'll reproduce them and send the originals right back to you.

A. Right, sir.

Q. I've told you a lot of things. It should make you think, should recall things to you.

A. Yes, sir.

Q. You recalled a lot more than you really realized that you remembered already this afternoon. Going back you may think more about this. If you remember anything more, no matter how insignificant you may think it is, don't you hesitate to call us. Down there at Fort Jackson you can get to an Autovon without any trouble and all you have to do is pick up the phone and call the Peers Inquiry and get the word to us on anything that you may remember. We'd appreciate anything that you can add. I give you an opportunity now to ask any questions or to make a statement if you wish for the record.

A. No, sir.

COL ARMSTRONG: The hearing will recess.

(The hearing recessed at 1543 hours, 13 February 1970.)

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SUMMARY OF TESTIMONY

WITNESS: COKER, Donald S.

DATE OF TESTIMONY: 18 February 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: Second Platoon Leader,  
A/3/1.

1. PRIOR TRAINING IN THE RULES OF LAND WARFARE.

COKER did not recollect receiving any training concerning the handling of PW's (pgs. 36, 37). While he recalled the five S's, he did not remember an explanation of "safeguarding" PW's (pg. 38). He thought the rules of engagement were covered in his Vietnam orientation, but he could not remember the details of it (pg. 40). He did not receive any instructions on the reporting of atrocities (pg. 41). There was training on the Geneva Conventions, and he received a card on it (pg. 41). The troops did have training on legal versus illegal orders (pgs. 41, 42). He thought a JAG officer gave this class (pg. 42).

2. PREOPERATIONAL PLANS AND BRIEFINGS.

As COKER understood it, A Company got the job as blocking force because they had been working quite hard and needed a chance to "catch their breath" (pg. 12). The witness was given the concept and mission of the overall operation by Captain RIGGS (pg. 30). Nothing was said about burning the villages or killing livestock (pg. 30).

(COKER)

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3. THE COMBAT ASSAULT.

a. Actions on the 16th.

While he could not recall the exact position of the blocking force on the 16th it was near a bridge (pg. 12). However, they were not in a position to see what was happening across the river (pg. 12). COKER recalled a couple of men from Lieutenant WHITE's platoon being wounded by booby traps (pg. 13). He could not remember spending the night in the blocking position (pg. 13).

b. Actions on the 17th.

On the 17th they moved several thousand meters to the top of a mountain on the west side of Pinkville (pg.13). They were still north of the Diem Diem River (pg. 13). That night a sapper platoon threw grenades into their position and killed GRENHAM and SEVIER and wounded others (pg. 14). The machinegun crews had consolidated their positions so that they could get some sleep and had set up in a position that was impossible to defend (pg. 15).

c. Actions on the 18th.

On the morning of the 18th Lieutenant Colonel BARKER, Colonel HENDERSON, and an artillery colonel came to their position and Captain RIGGS was reprimanded (pgs. 15, 16). RIGGS was upset about this (pg. 16). RIGGS reprimanded JONES who apparently felt that they should not have stayed on top of the hill in the first place (pg. 16).

d. Actions on the 19th.

On the 19th the company moved to the beach (pg.19).

4. OTHER INFORMATION.

a. Discussion of the incident.

The witness had not discussed the incident with anyone from the 11th Brigade since the matter came to the public's attention (pg. 5).

b. COKER's assessment of the leadership in A Company.

COKER was not surprised to hear about the My Lai incident because he felt the leadership was immature (pg.5). However, he believed the incident was an isolated one (pg. 11). In making this judgment the witness specifically referred to Lieutenant WHITE (pg. 6). Lieutenant JONES was a "John Wayne" type who risked his life at times and the men did not always want to follow him (pg. 7). Captain RIGGS was not the type person to get excited (pg. 7). He opined that Captain TRINKLE was an outstanding officer (pg.7). Captain SHELTON burned too many villages and did not seem to care about how the Vietnamese people felt (pgs. 7, 8, 30). The men often burned hootches unnecessarily (pg. 33). There were some NCO's who killed too many people (pg. 8). Sergeant E-5 Jeffrey TERTE was "busted" for smoking marijuana (pgs. 8, 9). COKER thought that TERTE had unnecessarily killed two VC on one occasion, but he could not prove it (pg. 9).

c. Radio frequencies.

All the squad radios in the brigade were on the same frequency because crystals for them could not be obtained (pg. 17). A Company had a lot of problems with radio interference (pg. 17).

d. Destruction of rice.

COKER recalled an incident in which they found rice in a group of houses which Captain SHELTON, who was then company commander, caused to be blown up when it was discovered there was too much rice to evacuate (pg. 23).

e. Cornering of VC suspects.

COKER did not recall an incident in which two VC suspects were cornered by a helicopter pilot and later killed by A Company thus causing an argument between the helicopter pilot and the company commander (pgs. 25-28).



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EXHIBITS

EXHIBIT NUMBER	DESCRIPTION	NOTES	PAGES
D-13	11th Bde Reg 1-3 dtd 31 Mar 67 "Administration Reporting of Serious Incidents"	Entered into evidence.	1
M-117	"Extracted Entries Mr. James A. MAY's Notebook" dtd 18 Feb 70	Entered into evidence.	1
M-118	Article from The Reporter Volume 22 Ed. 1 of 1 June 1968, pg. 16.	Entered into evidence.	1

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(The hearing reconvened at 0925 hours, 18 February 1970.)

COL ARMSTRONG: The hearing will come to order.

RCDR: The following persons are present: COL ARMSTRONG, LTC BRANDT, and MAJ COOP.

I have some exhibits to enter. The first is Regulation No. 1-3. This is Headquarters, 11th Infantry Brigade, dated 31 March 1967. The subject, "Administration Reporting of Serious Incidents." This is entered into the record and identified as Exhibit D-13.

The next exhibit is a memorandum for record, subject, "Extracted Entries, Mr. James A. MAY's Notebook, dated 18 February 1970," and it has one inclosure. This is introduced into evidence and identified as Exhibit M-117.

The next exhibit is an extracted newspaper article from The Reporter, Volume 22, edition of 1 June 1968, page 16. It is entered into the record and identified as M-118.

Sir, the next witness is Mr. Donald COKER.

(MR COKER was called as a witness, was sworn, and testified as follows:)

Will you state your full name, occupation, and address?

A. Donald Steen COKER, accountant, Dickinson, Texas. You need my full address?

RCDR: Yes.

A. 3532 Vupon Drive, Dickinson, Texas.

COL ARMSTRONG: Mr. COKER, I am Colonel ARMSTRONG and on my left is Colonel BRANDT. We have been designated by the Chief of Staff to assist General PEERS in this inquiry. What I would like to know, have you read these preliminary instructions?

(COKER)

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A. Yes, sir.

Q. Do you understand them?

A. Yes, sir.

Q. Any questions on them?

A. No, sir.

Q. You should know, there are other groups such as this taking testimony, in fact, over 350 witnesses have been seen, so this is quite a detailed inquiry.

A. I see.

Q. There are civilian lawyers who have volunteered their services to the Secretary of the Army to assist General PEERS, to give him legal counsel, as well as a civilian lawyer from the Army General Counsel's office participating in the inquiry.

The point I wish to make is even though we have many groups and many people taking testimony, it's General PEERS' responsibility alone to digest all of the testimony, write the report, come to the conclusions and recommendation. So that you will know--if any of this is ever made public, you'll know that everything you said here is going to be gone over by General PEERS and weighed in perspective with everything else which has been said by everybody else.

I want to remind you that we direct military people not to discuss anything said in this room with anyone. We can only request that you not do it. However, there may be other investigations in either judicial, administrative, or legislative type groups of official people that are making an official investigation, and anything that you said here will not keep--or the fact that you have appeared here will not keep you from testifying in front of such official groups.

The way I conduct our part of the testimony is that I take a few normal routine type of questions and then go off the record and brief you as to the events of the period 15 to 20 March, to the effect that your company and to the effect of the other two companies of Task Force Barker,

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with the idea of refreshing your memory. It is a long time ago, and we understand that it's a long time ago. We're talking about almost 2 years now, and this is a long time to ask somebody to remember in detail. So by giving you a broad picture, we hope to focus your thinking into that particular time zone. Then over a period of several questions, in talking it out with you, we hope that as much of your recollection as possible can be captured and put into the record. In this manner, we hope to help you in helping us.

Consequently, we are rather informal in this because the whole procedure is to get you to think. We want you to feel as much at ease as possible. If you want any coffee, please don't hesitate to indicate so.

As I said, I do have a couple of routine questions to ask and I'll go ahead and ask those now.

Would you explain the dates that you were assigned to the 11th Brigade, the positions of responsibility you held in the 11th Brigade, and when you finally left the Americal Division, when you terminated your service in Vietnam?

A. I was with the brigade in Hawaii. I came over, arrived in Vietnam December the 5th with the brigade.

Q. May I ask how long you were in the brigade before you left Hawaii?

A. Two or three months.

Q. So you are talking about September or October, you joined the brigade?

A. Yes.

Q. All right, fine. Please continue.

A. At that time I was the 2d Platoon leader of Bravo Company, and I held that position until I left for a MACV assignment.

Q. Bravo Company?

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A. I have been in so many units it's hard for me to get them straight.

Q. What battalion were you in?

A. 3/1.

Q. You were with the 3/1?

A. It is hard for me to remember. I have been in so many units.

Q. Well, let's put it this way, your records indicate this was Alpha Company.

A. Alpha Company, okay.

Q. You were 2d Platoon leader of A/3/1?

A. Yes. I held the same job, 2d Platoon leader, until I went to MACV, which was in the latter part of March. But as part of Task Force Barker, I was there the entire time Alpha Company was there.

Q. Well, really, all of your combat experience, then, was with A/3/1?

A. Yes, sir.

Q. And this is the time we're talking about, and it was relatively a short period of time, about 2 months.

A. I was still with the company when it came back to the 11th Brigade headquarters at the AO near Duc Pho.

Q. You were still with the company when it returned to the control of its battalion out of the task force?

A. Yes.

Q. Just to see if this won't trigger you a little bit and refresh your memory, on the 24 March, I believe, the 1st and 2d Platoons and the company headquarters went into Dottie, LZ Dottie, and the 3d Platoon went into LZ Uptight, coming back from the field?

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A. Right.

Q. On 25 March the 3d Platoon rejoined the company at LZ Dottie. On 26 March the company returned to LZ Bronco and Duc Pho. You were no longer with Task Force Barker after that?

A. I was there.

Q. So you were there during this period?

A. Yes.

Q. Now since the news of the so-called My Lai or Pinkville incident hit the newspaper last fall, fall of 1969, September or October, have you had any contact or discussed with any former members of the Task Force Barker or 11th Brigade people any of the incidents that took place?

A. I did not discuss anything with members of the task force. I was at Fort Hood about the time it started breaking. Although there were a few people I knew that were at Fort Hood, I didn't have the opportunity to talk with them.

Q. Let me ask you one more thing. What was your reaction?

A. Well, my first reaction was that it was possible, that it could have happened. And this date I have the same feeling.

Q. Would you like to tell me why you feel this could have happened? In other words, you weren't shocked by revelation?

A. No.

Q. Would you like to tell me why you feel this way?

A. Well, in my time over there, I have run across a few officers that I considered immature, and I can understand how these people as well as the 18-year-olds and the younger people who don't think of the future, just living for that particular moment, I can understand with this type leadership how something like that could happen.

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Q. Do you have anything really specific?

A. No, just over my time being there, being with these people and how they felt and what they said as far as--

Q. (Interposing) Are we talking about CALLEY?

A. No, I never met the man.

Q. Okay. Who are we talking about?

A. Lieutenant--I think his name was JONES, although, he never indicated that he had done something like this. No specific irresponsible lags, you know, you just get the feeling that it could have happened after talking to some people.

Q. Was he the kind of individual who might be malicious, sadistic, given the position where he could project his power and authority?

A. Oh, it was possible. I would hate to make a flat statement like that. I would just say it is possible.

Q. Was Lieutenant JONES the only one that gave you this impression?

A. Well, it's been quite sometime and it's hard for me to remember.

Q. What about Lieutenant WHITE?

A. WHITE, in fact, let me retract that. Lieutenant WHITE was the one I was thinking of. I got the name switched.

Q. Because he was a gung ho type?

A. He was young, and I feel that he didn't reach maturity. I feel that it takes a mature person to be able to handle a situation and to be able to control your emotions in a very bad situation, in a situation where you have people you love and respect get knocked off in one particular area like that My Lai area. It is very difficult. It takes somebody that doesn't only look for the present time, looks for the future and cares about how his men are going to be when

they return back, what affect it's going to have on their lives.

Q. Captain LUNDEEN, Lieutenant LUNDEEN rather?

A. He's a career man. I think he's sufficiently mature not to let anything like that happen.

Q. What about Lieutenant JONES?

A. His nickname was John Wayne, because he was that type of individual. As far as anything like this, I doubt it. He didn't mind risking his life but it was in a situation where you were actually getting shot at. You know, people at times didn't want to follow him. If he was leading, he would go into a situation. They didn't particularly want to follow him at the time but they would.

Q. Take Captain RIGGS?

A. He's a career man; he was at that time. I don't know if he is now.

Q. He's a neighbor of yours?

A. Right. He lives in Dallas.

Q. He's out of the service. Was he the type to kind of lose his cool, to get excited?

A. I don't believe so.

Q. What about Captain TRINKLE?

A. Captain TRINKLE was a military man. I think he was an outstanding officer. He drove his men. Sometimes they didn't want it, but I think he was right.

Q. What about Captain SHELTON?

A. I didn't like the way he operated. As you know, there is a river that separates My Lai area. We went to many operations on the safe side of the river more or less. He was just there a short time. He burned too many villages. He didn't seem to be really concerned about how the people



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felt. I think it was against the battalion task force policy to do this, but he did it anyway. I was the type, if we got shot at from a hootch or house, I didn't mind burning it down, but if we didn't have any problems, let them live.

Q. Okay. That just about covers most of the officers. Can you think of any other officers?

A. Just by face.

Q. There was a Lieutenant BOYLE, but he wasn't here during this period?

A. Yes, he was. He was wounded there, wasn't he?

Q. No, not during My Lai.

A. But it was still in the area.

Q. But if you lost any officers in this company while you were with them, it was all in this area. What about your feelings of the NCO's and the men?

A. Well, I can just speak for my platoon. There were individuals in it, a minority-type thing that would be--hoodlums here would be hoodlums there, and I made it a policy to watch them very closely because there is no doubt in my mind, they bumped too many people off.

Q. Given the opportunity?

A. Right.

Q. Or did they actually do it?

A. It got back to me that one incident--Sergeant TERTE, who was later busted for smoking pot--

RCDR: (Interposing) How do you spell that?

A. I'm not sure. He was an E-5. He was the instant-type sergeant who shouldn't have ever made it. At one time, good. As soon as he got over there he showed his true color.

COL ARMSTRONG: TERTE, T-E-R-T-E, Jeffery?

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A. Right.

Q. He was an E-4 on the 16th of March.

A. He was an E-5 at one time. I don't remember the exact incident. Its the one that we airlifted in the Pinkville area itself, right by the river Captain TRINKLE commanded. It got back to me later--and I could never prove it--he shot two VC. There is no doubt about the description that they were VC because they were about 23 years old, big huskey people. At that time, we captured two to three prisoners--two or three and they proved to be VC.

Q. He didn't shoot these two?

A. No. We were separated. This particular sergeant was with a squad which was operating maybe, I guess, less than a mile from where I was. I just learned later that he had shot a couple, and they didn't have weapons.

Q. You mean unnecessarily?

A. No doubt about it. But this is something I can't prove. It just got back to me from somebody who would feed back things that were happening.

Q. Who was the squad leader at that time, do you recall?

A. I think it was him, I'm not sure.

Q. Well, who reported it to you then?

A. He did. No, I can't remember who reported it to me. It was--somebody just happen to mention it 2 months ago that such and such shot a couple of VC or shot a couple of what he thought was VC.

Q. What about anybody else of this nature?

A. That was the only incident that I ever heard of in my element. I wasn't concerned about other elements. I was too concerned about what I was doing with my people.

Q. That's the only one in your element. Did you have any other men that you had to keep a close eye on?

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A. Well, I can't think of their names. It was just, you know, about three or four I would try to keep with me. I can't think of their names. There was one individual who was a fine soldier but you would have to watch him. As far as I was concerned he was real fine.

Q. Any noncoms?

A. No.

Q. Can you name me some of the noncoms?

A. Well, Sergeant CARIS. There was another one there, I'm trying to think of his name--TUMACDER.

Q. What kind of man was Sergeant TUMACDER?

A. He was a professional soldier. I depended on him a lot because he had been there a couple of times before.

Q. He is back there right now.

A. Is that right, gee whiz. He's a real fine man as far as I am concerned, a fine NCO.

Q. Did you have anymore observations along that line?

A. Not along that line.

Q. All right. Now, let me ask you this, if you ever heard of other incidents?

A. Well, there would just be a rumor.

Q. This is not evidence we're talking about. Information we're getting in this inquiry; it's not evidence. The inquiry is worrying about basically the reporting, the evaluation of reporting, the investigation, that sort of thing. That's what the basic mission of this inquiry is. But it's also giving us leads as to things that went on, and hopefully out of this report the Army will be improved. Some of the things we haven't done that we thought were being done the way we thought they were, their way of training, their way of indoctrination, their way of training, their way

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explaining to our younger people. So rumors, gossip, we're listening to. So if you know of anything that would lead you to believe that somebody might have committed an atrocity, we are suppose to know about it.

A. Well, thinking back over the--there is no doubt in my mind, if you get to the CALLEY situation, if it happened, it's definitely an exception. Just a flagrant exception to the rules as to what actually happened. As I said before, I can see how it would happen. I think that the Army has a tremendous load and tremendous pressure, but they have solved other problems that are just as big as this. But I think if they set upon themselves to eliminate people that do this type of thing, one thing, I think, is not sending any 18, 19 or 20-year-old officers over there, because that's where it's going to happen. And I understand Lieutenant CALLEY is about 25. How old is he?

Q. I don't think so.

A. Well, there are exceptions to the rule even there. Just the process of maturing, being able to handle the situation.

Q. Do you think that the incident of Pinkville as reported in the newspaper is isolated?

A. Yes.

Q. Anything of this magnitude?

A. That's not saying this is the first time it happened.

COL ARMSTRONG: Well, let's take a recess now, and let me then go over and tell you about the time period we are talking about. The hearing will recess.

(The hearing recessed at 0935 hours, 18 February 1970.)

(The hearing reconvened at 0942 hours, 18 February 1970.)

COL ARMSTRONG: The hearing will come to order.

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RCDR: All persons present when the hearing recessed are again present.

COL ARMSTRONG: Mr. COKER, I have briefed you, using Exhibit MAP-5, informed you on the operation of Task Force Barker during the period of 15 March--really, from the period of the 1st of February to the 20th of March as it pertained to the Muscatine operational area, and in reasonable detail of the military operation of Task Force Barker about 15 March to 20 March as it--particularly as it affected A/3/1. Would you please tell us everything you can recall of this, in minute detail with reference to that period of time, say 15 March on?

A. I'll start where we were in a blocking position along the river.

Q. Can you go back a couple of days ahead of that, the day ahead of that?

A. It's all fuzzy as far as ahead of that. I really don't have any detail that comes to mind. But I understand at the time, of course it was generally understood, that one of the reasons that the company--this isn't talking about the blocking position--one of the reasons that the company did get this job, it was more or less a chance to catch our breath as we had been working quite hard, and everybody was more or less fatigued, and everybody was more or less happy about that. As far as the incident is concerned and Lieutenant CALLEY, we knew nothing about it. I don't even remember seeing, you know, hootches burning at a distance or anything that was unusual at all.

Q. Do you recall whether your platoon in that blocking position was positioned where you would be looking south across the river?

A. No, we weren't in a good position to see anything that happened across the river.

Q. But you can't pinpoint the location of your platoon in the blocking position?

A. I think it was near a bridge. There was quite a few operations in there, but I'm pretty sure it was near the bridge and up around a northeastern blocking position, if I remember correctly.

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Q. Would you like to identify that by reading the coordinates, where you think your platoon CP might have been?

A. 735815.

Q. Let the record show that Mr. COKER feels that the 2d Platoon had the position on the island and farthest east of any platoon of the company.

A. From that time it was moved from this position.

Q. Can you remember the incident of the booby traps of the 1st and 3d Platoons and the casualties?

A. If I remember correctly, it seems to me we had moved from that blocking position when that happened, but I can't be sure on this. When Lieutenant WHITE's platoon had some individuals step on booby traps--and of course, I think a couple of them were killed and had some other people wounded. But still in this general time frame not--I mean this was just another typical operation, nothing was fed back to me, or any of my men, or as far as I know to the company as a whole that anything unusual had happened. And there was no reason to think anything unusual had happened at this time.

Q. Okay, you spent the night there. I'm talking about the 16th of March. You actually spent the night in that blocking position?

A. This is difficult for me to remember, spending the night there, I really can't.

Q. Do you remember where you moved to from there?

A. Right. This is vivid because we moved several thousand meters to the top of a mountain which was on the west side of Pinkville, if I remember correctly, and it was our job--

Q. (Interposing) North of Diem Diem River, still north of the Diem Diem River?

A. Right, it was still north. But our job was to-- it was a good vantage point. We could see everything that was happening as far as Pinkville was concerned. It was more or less to observe in the daytime, and at night we set up

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an ambush along the trail that ran right across the top of that mountain. That night we heard what sounded like mortar rounds coming in, and we knew that the company had made some kind of contact. It later developed that a sapper platoon had thrown some hand grenades and had killed some of the people which were east of the river in Pinkville. I think they killed two. This is just what comes to mind, and they had wounded some other people. It was unfortunate, I think, that people that were killed were highly respected.

Q. Could you name any of those people that were killed or wounded?

A. If I heard the name, I could recall it, but as far as just picking the name out of my mind, I can't.

Q. GRENHAM.

A. Yes, he was a machinegunner if I recall.

Q. Is that one of them?

A. Yes, sir. These people that were well liked in that particular platoon and of course most people who were in the company knew their names.

Q. SEVIER?

A. He was a real good man.

Q. Then the wounded were CRUZ--

A. (Interposing) Right.

Q. LESURE?

A. I didn't know LESURE. He was a new man.

Q. DOUGLAS?

A. I don't recall him, I don't think.

Q. STILES?

A. No.

Q. MAGUIRE?

A. I recall the name but I don't recall the face.

Q. Well, do you remember in vivid detail, or do you remember anything about it, or what you heard about the report, the report you heard about this fact?

A. Of course I was on the mountaintop and everything I heard was passed up to me either from Lieutenant JONES--it came from his platoon or a platoon right next to his. It was Lieutenant JONES' platoon. He indicated that he set out his machineguns in one position, and there were two positions that he designated. These people got together and decided there is no sense for everybody to lose sleep tonight; we'll go ahead and consolidate these positions. They moved behind a shrub which was almost impossible to defend. The VC, all they had to do was walk up there and drop in a few grenades. But this is the story I got. I know the next day there was quite a bit of--Colonel BARKER came down. He was quite upset about the whole situation.

Q. Did Colonel BARKER come down, do you know that?

A. I assume it was Colonel BARKER. I know that it was at least a colonel or a couple of colonels that came down.

Q. Could it have been Colonel HENDERSON?

A. As a matter of fact, it could have been.

Q. And Colonel BARKER?

A. That's what I was thinking.

Q. And an artillery colonel?

A. Absolutely.

Q. In other words, this was not passed off. You know there were visits by high-ranking people the next morning?

A. No doubt about it. I understand that Captain RIGGS was reprimanded, because I assume that the position that Colonel BARKER took and Colonel HENDERSON took was that Captain RIGGS--it was his responsibility to check out these



positions and that he did not check them out, which is true to a certain extent except that you can drive yourself only so far. So I couldn't go along with their positions. Everybody needs sleep, even captains. But Colonel BARKER and Colonel HENDERSON did check on the situation, and as far as what happened after that, I know that Captain RIGGS was upset about it.

Q. What was his reaction regarding Lieutenant JONES?

A. I didn't get involved in that. I suspect that Lieutenant JONES was--I recall now that he was reprimanded, and Lieutenant JONES was very upset about it. He felt that Captain RIGGS for some reason or another--I couldn't follow his logic--was responsible for what had happened. Right--Lieutenant JONES felt that the entire position was not worth a damn in the first place, and that they shouldn't have stayed there. They should have moved 200 or 300 meters from that position, and everything would have been all right. Because it was too hard to defend where they spent the night.

Q. In other words, perhaps a little bit of bad feeling switching between the good company commander and the good platoon leader of the 1st Platoon.

A. Right. Another thing, Lieutenant JONES felt they spent too much time there looking at the position instead of moving right before it gets dark and then setting up.

Q. I understand that Captain RIGGS--this was his basic tactic, to move into a night defensive position after dark had set in so that the VC would not have a chance to nail him. And also, he never spent the night in the same place twice.

A. Right. He tried to do this. Of course, sometimes it is more difficult than others. And I think this incident reinforced this in him, because after this incident it was setting up at night rather than setting up at day. I was all for that.

Q. One way to continue to survive.

A. Right.

Q. Do you remember anything more about this sapper attack?

A. For some reason, I remember a chopper coming in to move out the wounded, dead. I can't recall what the problem was. They just didn't get the chopper in. It was off course.

Q. But do you recall they eventually did get it in?

A. Yes, I don't recall. It took more time than it normally took, maybe about an hour or so.

Q. Now, I understand--let's change the subject a second. I understand these little headsets, the squad-radio types that you had in the brigade, were all on the same frequency. Do you recall this?

A. Right. This always was a problem.

Q. Was this true throughout the brigade, all those type radios were all on the same frequency?

A. I believe it was. I can't say for sure but I know that we had problems all the time with interference. For some reason, they couldn't get crystals. These radios are equipped to operate on two channels if they had the equipment--if they had the equipment and operated like it should have, it would have been perfect. I found that as long as we had good batteries and the radios were in good operating shape that it was the easiest way to control the moving unit that I had. As soon as one went out, normally problems developed. One reason for this was that I felt me and maybe Sergeant TUMACDER, maybe one other, Sergeant CARIS, were the only ones that could read a map. If somebody got lost, if we had to operate where one squad went one place and another squad went another place, then I had to have radio contact with them. So that naturally problems would rise when one of these radios would go out or was lost.

Q. Sitting in your blocking position then, you should have been knowing, say, what Bravo Company or Charlie Company was doing, right? Do you recall anything about that?

A. I recall that the area was woody out there, and I think that the only company that I could see was my own company.

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Q. What about hearing?

A. Hearing--once in awhile we would hear a radio transmission, but we didn't gain--

Q. (Interposing) I'm talking about the 16th, when you were in that blocking position there. You are really not conscious of hearing the platoons of Bravo and Charlie Companies operating across the river?

A. I think that we did hear it, but we didn't hear anything worth remembering. Just normal chatter you hear.

Q. In other words, just normal operations?

A. Right.

Q. But, in other words, you more or less remember you could have monitored?

A. Especially on this hill position. We had the capability of probably talking but we didn't do it.

Q. This was 2 days later?

A. Okay. I got what you mean.

Q. The first day of the operation, when they combat assaulted in is the time I'm talking about, the first morning?

A. Well, we were down low, and if I remember correctly, at that time we would have been unable to hear anything.

Q. You are corroborating what Lieutenant WHITE said. He said he could hear the Charlie Company transmissions without any trouble, but it didn't sound to him like there was anything unusual going on. Okay, you're up on top of that hill; the next night the company joined you.

A. Right.

Q. And the company spent the night there. Did they tell you anything about anything unusual happening on their march over?

A. I don't recall anything right offhand as far as

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anything unusual happening. We made a--I remember that some of my men reported seeing VC carrying weapons. One man was guarding a trail, however, he had left his weapon laying beside him, and he actually saw a VC come up to him. He grabbed his weapon and by that time the VC had taken off back down the trail, and this was if I recall, with a uniform. He wasn't NVA, but he was more or less a uniformed VC.

Q. That was up there on the hill?

A. That was when we were on the hill.

Q. Okay, then, the company arrived, spent the night, and the next day off you went to the beach?

A. Right.

Q. Can you tell me what the formation of the company was on the march over to the beach?

A. No, I can't.

Q. All right. Let's start thinking now. You had been on that hill the whole day before. Actually you spent 2 nights on the hill.

A. Right.

Q. The other two platoons had both suffered casualties. Is it possible that your platoon would have lead out?

A. More than likely this would be the case, because it was time for the other platoons to get a break.

Q. Okay.

A. And normally this would have been the case, that the platoon that had the chance to rest would be doing the work for that particular day.

Q. Now, do you recall anything special happening on that route march over there, over to the beach? Anything that would call that day to your attention?

A. I think that--it is very difficult for me to re-

member, but I believe that we made--we saw three or four VC running, but this is the only thing that comes to my mind. I think these people were carrying weapons.

Q. Could you point out where you think that might have occurred.

(Witness does as instructed on Exhibit MAP-5.)

Mr. COKER feels that it was about coordinates 735840. But that was all--they were just way out in front of the company or something.

A. Right. This is what I remember--something that might trigger my memory.

Q. If that's the case, would that lead you to believe that your platoon was leading in that march?

A. I believe that we were, sir. This again is a long time ago.

Q. You don't specifically recall?

A. No.

Q. You don't really recall that march or that day?

A. Not at this time. Of course, something might trigger my memory.

Q. That night you got in there--the end of the march was the beach, and as I understand it, actually, you approached the beach in at least two columns. It seems to me the company commander may have had you hit that beach with one platoon--with two platoons up on line, maybe in a line of columns, with a third platoon back in reserve. Anyway, it appears, at least, that two columns hit that beach considerably separated. Does this stick a responsive cord?

A. I remember the beach and I remember--

Q. (Interposing) Swapping the C-rations for fish and cooking fish.

A. No, not that particular time. I remember some

woodcutters, and I remember the fish, but at this time that's all I can remember about this operation.

Q. Do you remember EIKENBERRY?

A. Yes.

Q. What was your opinion of EIKENBERRY?

A. He wasn't in my platoon.

Q. No, he's 3d Platoon, but I think he did a lot of work as a tunnel rat where he worked basically for all platoons.

A. I can't recall anything specific about him except that he was a tunnel rat. If he was in my platoon, he would have been one I would have watched.

Q. He had gotten in trouble in Hawaii, lost a lot of respect from his parents and his company mates. As he tells it, when he left for Vietnam he thought perhaps one way he could gain the respect of his family and his company mates was by volunteering to be the tunnel rat. In a company or apparently in an organization that didn't give out many medals, this guys got three Bronze Stars for valor and three Purple Hearts. So presumably--and his leadership, squad leaders and noncoms of the 3d Platoon, speak very highly of him.

A. Okay. It is difficult unless you work with a man to really know but--

Q. (Interposing) Well, I was just wondering if you had any specific feel for him?

A. I just know the name.

Q. You wouldn't know who his squad leader was?

A. No. During this time there was a change. We were having problems getting leaders, and in some cases, in fact, I had a PFC squad leader simply because the Spec 4's didn't want the job. It was really bad as far as getting people who was trained NCO's or could have acted in the capacity of NCO's. As far as this PFC was concerned, I was

just as happy with what he did. It was a job--he felt that it was his duty to do it, and he would do the best job he could. I just want to indicate the problem that this unit was having--and I'm sure that all the units were having--is getting people that were trained squad leaders and--they just were not existing.

Q. Absolutely correct. I knew that from this end. Can you remember anything else about this operation?

A. Thinking back, as soon as this broke on television and in the news media, I thought back on the operation, and I was amazed that I didn't remember an investigation. I didn't remember a colonel coming in to check this or anything unusual, any higher officers that were actually in there. And I assume this is just because I wasn't in a position to see this.

Q. Okay. Let's go back to basic practices and techniques. When you were marching on route marches, did you at any time have what I would call air cover by choppers, that you remember?

A. Normally we did not. However, I found that any time I needed a chopper--let me make a correction. Task Force Barker--I was thinking when I was with the 11th Brigade, I had no trouble getting a chopper anytime, and I could get them normally very quickly. Task Force Barker was something else. We had a little bit of trouble.

Q. Do you recall having chopper cover when you were on a route march?

A. I can't give you the specific date but there was a time in Pinkville itself that I believe we had choppers. They weren't necessarily covering us but they were looking for VC and they would fly off when we were in a position that would allow us to--

Q. (Interposing) That's what I'm talking about. Do you recall an incident sometime during your service with Task Force Barker where a chopper actually cornered a VC with a weapon?

A. Yes, I do. But I can't remember anything other than that.

Q. That you went out and picked him up?

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A. Right.

Q. He had a carbine. Actually, I think he may have been in a well. I understand Captain TRINKLE went out, and pulled him out of the well, and took his weapon away?

A. I remember that.

Q. That this guy had been actually spotted by a chopper and cornered?

A. Yes.

Q. Do you recall any other incidents--another incident where Captain SHELTON was commanding the company, and you were right there by that mountain?

A. I remember that.

Q. Where he had EIKENBERRY blow a bunch of houses where you found the rice? You couldn't evacuate it all. A chopper reported there was a suspected VC across the river in the field, and SHELTON, I believe, and another man went in the chopper. They came back, and they reported this guy had been a farmer. He was supposed to be all right. He wasn't a VC. Does that ring a bell?

A. I remember that real well. I remember everything that happened in that time sequence.

Q. That was Captain SHELTON?

A. Right.

Q. And when he destroyed all of these houses, and hootches, and particularly the permanent-type buildings that had the grain in it, the rice in it, I understand Colonel BARKER came down and was real unhappy with him. Do you recall that part of it?

A. I didn't get involved in that part. I was generally unhappy with the way he was conducting the war, because blowing up a house with rice in it doesn't do anything but scatter the rice. Burning hootches that you don't get fire from just hacks off the people that were maybe neutral--or maybe they were on the VC side, because the VC happened to control the area.



But this was his policy, and I objected to it, and it really bothered me at that time.

Q. Did you voice your objections to the captain?

A. I think on one occasion I tried to get him not to, and he said, no, go ahead and burn them. And after that I would just go ahead if I was ordered to do it. I would go ahead and do it but I objected to it. Now this is in contrast to where we receive fire, because this is a different situation as far as I am concerned. But as far as just going through a village--

Q. (Interposing) Were you aware that this was not the policy?

A. I had heard from Captain TRINKLE it was not. But as far as Captain SHELTON was concerned, he was a new officer in there.

Q. Did you tell him this was not the policy?

A. I don't recall telling him it was the policy.

Q. Did you ever think about going to the battalion about it, Task Force Barker about it?

A. Colonel BARKER, I think, was a real fine officer. However, as far as I was concerned--and the platoon leaders were concerned--we didn't get to see him.

Q. In fact, how many times do you recall him landing at the company that you know of?

A. Maybe two or three times, maybe four. It didn't seem too often. I had some conversation with him at the fire base in his TOC, and he impressed me as being a dedicated soldier.

Q. Was this when SHELTON was in command?

A. This was right after Captain TRINKLE was wounded. In fact, it was the night Captain TRINKLE was flown in. My platoon went in to protect the fire base. This was because we had received so many casualties in my platoon at that time.

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We were chosen to go back in to protect the fire base for the rest of the night, and the rest of the company stayed out.

Q. TRINKLE got hit and was evacuated. Really, since Captain SHELTON had gotten there, you didn't have a chance to see the battalion commander?

A. No. I mean this is just against Army practice. I won't say Army practice. It is against tradition to break the chain of command, and I would consider it breaking the chain of command.

Q. In other words, you didn't feel that this was any great problem. You thought this was a damn foolish policy on his part?

A. I considered it a foolish policy, but I didn't consider it a crime. If I would have considered it a crime, I would have broken the chain of command. I won't say break the chain of command, but I would have asked to see the colonel. It is a hard thing. People that you are fighting with, that you respect, you are all in the same boat, and it would be hard to turn somebody in for something that you consider a crime, very difficult.

Q. Let me describe some circumstances to you and if at any time this strikes a bell, I want you to go ahead and interrupt. Okay?

A. Right.

Q. The company is moving along. Your platoon may be leading, may not, and out in front of it several hundred meters, maybe quite a considerable distance, there are two choppers, the H-23 type, flying cover in security for you. And considerably out front and to the flank 200 or 300 meters perhaps, a village is in the vicinity somewhere. One of the choppers starts orbiting, the low one, because they always flew one down and one high, the high one protecting the low one. And into the company net the chopper pilot starts yelling he's got one cornered, "Can you get some people out there?" The reason I say he's quite a distance away because it took 10 to 20 minutes to actually get two men out. Does this ring a bell?

A. Well, it rings a bell, but not with Task Force

Barker. It was in another operation that I recall a similar incident happening.

Q. Wait a minute, let me continue on then. The two men go out there. Shots were fired. Maybe they were out so far they didn't hear a shot. The two men come back alone. Shortly after the shot is heard or shortly after they start returning, all hell breaks loose over that radio. That chopper pilot is so mad he can't see straight. He starts berating the hell out of the company commander about he has exposed himself, his crew, and his aircraft for a considerable period of time to try to capture a prisoner, and then all that happens is when his riflemen come up there, they murder the guy. Do you recall this?

A. No. For some reason I wasn't on the radio or wasn't listening to the radio at this time. I would have remembered it.

Q. No question in your mind, if you had heard this you would have remembered?

A. Definitely.

Q. And the chopper pilot says after exposing himself and his people, and his equipment to being shot down while he orbited for 20 minutes, that he wanted an explanation as to why this happened. And the company commander called the platoon leader and said something to the effect, "Okay, what happened and why?" And the platoon leader said, "Wait," and then got ahold--apparently got ahold of the two men that went out to pick this thing up, and then keyed his radio so his conversation with the two men came back over the air. And the question was, "What happened?" The rifleman said, "Well, he was a VC we shot him." And he said, "How do you know he was a VC?" "Well, ah-ah-ah-ah-ah-ah-ah-ah..." They can hear this over the radio. They can hear it in the chopper. The platoon leader says to the riflemen, "You mean he had a grenade in his pocket." So then, normal radio procedure, the platoon leader calls the company commander and says, "He was a VC. We know it because he had a grenade in his pocket."

The chopper pilot says something to the effect, "Oh, hell, they didn't have to bayonet him and shoot him be-

fore they even checked him, and they never searched him. It will be a cool day in hell before I ever fly cover for you guys again," and flys off.

A. I don't remember that.

Q. Would you have heard of any such thing if it had occurred?

A. Well, it's a difficult question. Would I have heard of it in my company?

Q. If this had happened in the company, would you have heard about it?

A. It's possible that I would have, and it's possible that I wouldn't, because during most of these operations you're running from one point to another.

Q. This was just the route march across country. You weren't in contact with anything else. This was a company moving along in a column of platoons.

A. I just don't remember. I can't say whether I heard about it or not, because I don't remember it.

Q. You think if you had heard it you would remember it?

A. I think that I would have.

Q. You are pretty sure you would have?

A. I'm reasonably sure.

Q. Because what happened is the two men went out there, spotted three VC. Two of them had ducked. Three men, obviously military age, in black pajamas, apparently no weapons. All of them had run. Two of them had jumped into either spider holes or caves. But he had cornered this guy, and this guy lay down along the rice paddy dike and just stayed there. And when the two rifle men came up, he turned his head and looked at them, and one of the riflemen bayoneted him and then shot him through the head.

A. There are people that way. You just have to watch them, don't let them go out on operations like that. But I don't remember that. I have never seen anything like that.

Q. Have you ever heard of any--it's not normal that a chopper pilot would chew out a company commander, a captain.

A. Well, this is what I'm saying--

Q. (Interposing) Over the radio--and every radio in the company would have heard this.

A. Well, that's true.

Q. As a platoon leader, you might not be right with your RTO, I agree, but if he's walking along in a column with you and that radio starts blaring, he's going to come up to you.

A. Well, if it was directed to me he would.

Q. I mean after a while with this kind of conversation, he would have gotten up close to you. If you were the third leading platoon leader--well, apparently the leading platoon was the guy who heard the net. If you are the 2d Platoon leader or the 3d Platoon leader, regardless of where you were in the column, you would have to be with that RTO.

A. Well, the RTO's that I chose were the smartest people that I had simply because when something like this happened, if I was busy doing something, they could relate it intelligently, and in some cases where I was unable to react immediately and an immediate answer had to be given, they could do it. And this is perhaps the reason I don't recall hearing this conversation. I just don't recall this incident.

Q. We don't know whether it was your company or not.

A. My RTO--well, he was wounded. He might remember something like that.

Q. What's his name?

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A. Let's see, the one at that time could have been COOPER. He should have been RTO at that time. He was a Spec 4 when he got out. At that time he was probably a PFC.

Q. COOPER wasn't even with you at that time?

A. He wasn't?

Q. Nope, he wasn't in the company.

A. He was wounded when Captain TRINKLE got wounded, so this was a little bit before that time.

Q. I'm not sure of my time frame. I'm not sure of my company.

A. But that was when COOPER was wounded, and that's when he left the action.

LTC BRANDT: I would like to go back probably to the night of the 15th or very early on the 16th of March.

A. Could you generally tell me what happened in that time period?

Q. Well, this would have been prior to moving out on the operation in the My Lai area?

A. The blocking?

Q. Did you receive a company briefing or a briefing by the company commander prior to that operation?

A. Well, I received a briefing on that. It went to the extent that the 1st Platoon would be here, the 2d Platoon would be here, the 3d Platoon would be wherever they were, Charlie Company is suppose to CA, and what have you. But that is all that was given out.

Q. Were all the platoon leaders present during this briefing? Were you called in by the company commander, Captain RIGGS, and given a briefing prior to this operation, or did he come down to see you, or did he issue a frag order to you?

A. Specifically, I can't remember. I just remember

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getting information on the operation from Captain RIGGS. I can't remember the exact location or who was there.

Q. But you do remember getting the information directly from Captain RIGGS?

A. Yes.

Q. Was a concept given for the overall operation? Now you mentioned something about C Company as far as their combat assault was concerned.

A. Yes.

Q. Was the objective of the operation stated? What was the purpose of the operation, do you recall? Did Captain RIGGS mention this to you?

A. I know what your are getting at. The objective as given to us was that they would sweep the area and make contact with the enemy. But that was all that was given. Now centrally, Captain RIGGS, he would give the general concept of what Charlie Company was doing and then get in detail what we were doing. But that was all that was given to us. There was nothing about burning all the villages, or shooting the cows, or what have you.

Q. Nothing to this effect?

A. No.

Q. You mentioned in several cases that villages were burned or buildings were burned. Just to elaborate on this, apparently this was a policy of some type within Task Force Barker from what you have related previously. Is this correct?

A. No, it was only the policy of Captain SHELTON.

Q. Of Captain SHELTON. To burn?

A. As far as the task force as a whole, it very seldom happened. I wasn't at all upset with the task force when this kind of thing happened.

Q. Are you aware of Captain SHELTON making any request

or receiving any instructions from Task Force Barker or the command group of Task Force Barker to do this? Did he request permission to?

A. I don't think he did. I'm not sure what unit he was working with before he got to our company. I think it was probably their policy. I think he just carried it over.

Q. In other words, down at the company level, company commanders made decisions apparently based on this to burn buildings?

A. I think that this is an opinion again--I think that Captain SHELTON was not given permission; he took it as far as his own initiative was concerned. I think that eventually it would be stopped if he remained company commander. It was only 3,4,5,8 days before he was wounded.

Q. Do you ever recall receiving any type of a briefing as far as policy was concerned on this aspect of operation?

A. Only from Captain TRINKLE, and he made the statement that it was not the policy, and of course he reserved a little of the initiative for himself. I remember, not in My Lai, but in a different area we had a guy who had his foot blown off by a hootch. It was obvious that the people in the hootch had to know there was a booby trap there. So we went ahead and burned down that hootch. But it was this kind of initiative that Captain TRINKLE took, but I think rightfully so.

Q. But in other words, Captain TRINKLE made the decision here on this particular case?

A. Right.

Q. Just as Captain SHELTON would make decisions in regards to burning hootches and villages.

A. Right.

Q. To your knowledge, they never requested permission to do this or they never received instructions to the contrary from the headquarters of Task Force Barker?



A. Not Task Force Barker. If I remember correctly, the policy that Captain TRINKLE was relating to me was the 11th Brigade.

Q. Now, if I can go back, prior to attaching A/3/1 to Task Force Barker, what do you recall the policy on this to be as far as the 3/1? Did you ever receive any briefings there?

A. It was not the policy to burn, but it was more or less understood that if the situation arose where, more or less, it was obvious that it should be burned, I would just go ahead and call Captain TRINKLE and get permission from him. I think that he would reply on his own judgment.

Q. Did Captain TRINKLE ever brief you on this aspect of operations?

A. I was assuming he said that it was not the policy to burn. This was the briefing he gave. And on occasion, like this booby trap incident, I asked that we burn, and he said, "Yes, we'll burn that hootch right here."

Q. What was his rationale for issuing these orders again to burn?

A. Well, there was no way that the booby trap could have been put out without the people in the hootch knowing about it. No way. In fact, the people in the hootch was the ones that put it out.

COL ARMSTRONG: When you and Captain TRINKLE discussed this policy of burning, did you pass this on to your people?

A. Yes, I had to always be on--the people in my platoon, they couldn't understand why we couldn't burn the villages. Sometimes they would do it knowing that it was strictly against the information I had given them. I would have to go and chew them out for it or what have you. I had to always be on top of this situation, burning, because these 18, 19 year-old people just couldn't understand why they were over there. You're on operations for maybe 3 weeks,

4 weeks, and the only thing you see is a booby trap or buddy blown up. They couldn't understand why you couldn't do something about it. They felt more or less helpless.

Q. Even though they didn't have any real justification?

A. Even though. I remember some instances where they didn't receive fire that they lit a hootch. Of course, it's too late when it's burning. I just reinforced the idea that they weren't going to do that anymore.

LTC BRANDT: I have one other question. Going back into January. You were with the 3/1 in Vietnam in January. If you can recall back that far, did you ever receive any guidance in regard to policy of higher headquarters on destruction of civilian property, cattle, such as shooting cattle, burning buildings, unnecessarily damaging or destroying them? Do you ever recall receiving any type of guidance from the time you arrived in Vietnam right up until this operation?

A. None. It wasn't presented in a class. Of course, you know, what it falls on is the company commander and the platoon leaders. When they see something wrong, correct it. That's what it boils down to.

Q. Were you ever aware that there was any policy by higher headquarters in regard to destroying civilian property?

A. Just on burning.

Q. You were aware that there was a policy then by higher headquarters?

A. Right.

Q. Was it within the division or do you recall whether it was a policy country-wide, that of MACV, USARV? Did anybody ever say USARV policy or the MACV policy on this is?

A. How high it went, I don't know, but it was the brigade, as part of the 11th Brigade, brigade policy. In

Task Force Barker there was never instructions given, although as far as I was concerned people in my platoon would not do it.

Q. If I can just restate that then, you were aware that there was a policy that it was a policy of the 11th Brigade?

A. Right.

Q. But you do not recall ever receiving any formal instructions or any briefing expanding upon this policy. It was more or less common knowledge or hearsay that you are referring to. In other words, you assume that this was the policy of the brigade. To your knowledge, Task Force Barker either didn't enforce this policy or else they had a different policy. You assume that he had cleared this through the brigade. Now that's putting a lot of words out. Just go back through it slowly. I want to make sure I know where you get your information from.

A. I knew that it wasn't brigade policy because Captain TRINKLE had told me it wasn't brigade policy. In the same respect, as part of Task Force Barker, no instructions whatsoever as far as burning--at least it didn't get down to me. Perhaps it was. I wish somebody had given it to me. I would have gone up to Captain SHELTON and said this is against policy. I'm not sure that it did. Hopefully I did tell him that.

Q. But you never received any instructions to the contrary as far as any operations with Task Force Barker?

A. That is correct.

COL ARMSTRONG: Was it common practice for you to call in artillery?

A. As part of Task Force Barker, only when we were actually being shot at did we call artillery. I mean if we were being shot at from a village, it didn't matter what size the village was, we would call in artillery. And you know as far as I am concerned there is a considerable amount of discretion that has to be used in something like that. As far as endangering American lives and endangering civilians in the village. And we had no trouble getting artillery when requested.

Q. But you had to use your judgment on whether to call it in or not?

A. Right. And I'd only call it in, and I think Captain TRINKLE and other company commanders I had would only call it in when we had people that were in danger of being shot. Not just because we think the VC were in the village. We wouldn't just put artillery on it or call an air strike on it.

Q. Now, let's go back to when you first joined the brigade, the training you received. Colonel BRANDT's got some more questions?

LTC BRANDT: What I would like to do is take you back to September or October which, as you previously stated, is the time you joined the brigade. First of all, where were you prior to joining the brigade?

A. I got out of OCS, went home for a month, and then went to the brigade.

Q. When you joined the brigade, that apparently was the period of time right after the brigade had participated in the amphibious exercise Coral Seas II.

A. That is right.

Q. And they started a very concentrated training program in preparation for movement overseas. What type of training--could you just think back, what type of training did you primarily receive? And then I'll get into some specific questions. If you could just state for me what you recall to be the areas of emphasis.

A. The training is very similar to, I'm sure, the training you get in any infantry unit. There was not too much distinction made except we had the opportunity to go out in the boonies of Hawaii which was far more rugged than anything we experienced in Vietnam. Actually, operating in combat situations in that area. But we received riot-control training, CBR training, just normal infantry-type training.

Q. Would you say that the majority of your training evolved around tactical exercises or did you have a lot

of classroom presentations?

A. I think it was spread out between both. There wasn't really that much tactical exercise by the time I got there. Of course, they went on the Molokai--was that the island they went on?

Q. Right.

A. For the amphibious operation. That was a very extensive operation. By the time I got there, we'd go out for 2 or 3 days and sometimes a week and just stay out. We would be given combat-type situations and operate in that respect. But we had just as many classes in CBR, weapons qualification, lessons on claymore mines, etc.

Q. At this time, were you then the platoon leader of the 2d Platoon?

A. Yes, sir.

Q. So you were with the 2d Platoon through that portion of training, and then when you moved over to Vietnam you remained with them?

A. Yes, sir.

Q. Do you recall any training that was received, by your platoon in regard to handling prisoners of war?

A. Not specifically, no.

Q. Were you tasked to present classes during the training program as a platoon leader?

A. Yes. That's the normal responsibility for a platoon leader.

Q. Do you recall any classes that were presented to your company or to your platoon regarding rules of engagement? In other words, when you could return fire in the case of a village?

A. What you're getting to is the Vietnamese situation?

Q. That is correct. I'm talking strictly Vietnam, in preparation to moving to Vietnam.

A. Strictly Vietnam preparation, no. European-type situation, yes.

Q. Now at this stage of the game then the training wasn't modified as yet to really reflect a Vietnam environment?

A. In some aspect, but not in that particular aspect as far as handling prisoners.

Q. You don't recall--once again you don't recall ever receiving any training or your platoon receiving training specifically geared to handling of prisoners of war?

A. In a Vietnam situation?

Q. In a Vietnam situation.

A. No, sir.

COL ARMSTRONG: Let's put it this way: in a counterinsurgency situation?

A. I don't recall specifically. I don't think so. But again we have--

Q. (Interposing) Well, you are a product of our OCS. Somehow or another you were selected to go to OCS. I don't know whether you had previous service or whether you came into the service, and applied for OCS, and were selected, and went almost immediately. Were you aware that we have a counterinsurgency-tactic-technique policy? It isn't all just shoot 'em up. Did anybody ever impress this on you during your training at that time?

A. It wasn't impressed to the extent that I remember it. Now there may have been a class.

Q. It was not impressed enough in your training for you to realize--

A. (Interposing) Not that type of situation. Conventional warfare, yes, sir.

LTC BRANDT: I would like to go back to the training in Hawaii. To your knowledge, just to restate, you do not recall any training being presented, either by you or by some other platoon leader within your company, on the handling of PW's of A/3/1, is that correct?

A. That is correct, and of course it is limited to the Vietnam situation, civilian-type PW's.

Q. In other words, there was no differentiation made between VC detainees and civil defendant? You don't recall any of these classifications being mentioned?

A. Not right offhand.

Q. Do you recall any training dealing with the five S's? Does the ring a bell?

A. Is that as far as handling captured material?

Q. The handling of people, to search them, to segregate them, to silence them, to safeguard them?

A. I remember that.

Q. You do remember training on this?

A. Right.

Q. What about the fifth one, to safeguard. Do you ever recall any expansion on what safeguard meant as far as handling PW's or was it ever explained?

A. No, I don't recall.

Q. Do you remember who presented this type of instruction? Was it by the company or was it by a brigade instructor group?

A. I believe that it was company level.

Q. Company level.

A. Yes. Of course, this wouldn't be required by the brigade for a company.

Q. Now, I realize that during this period of time that you were with the brigade in Hawaii, you had a great influx of filler personal. Do you recall any personnel turbulence within your specific platoon, within your company? Were you receiving new people or did you pretty much have a filled organization back in September or October when you joined your unit?

A. The exact figures, I don't recall, but I know that we were understaffed as far as NCO's and other enlisted men, and we lost--I know the brigade lost quite a few people who were not eligible to go over to Vietnam. Of course, this required a tremendous fill. When we reached Vietnam, we were definitely short. We were told at that time when we got there we would be refilled, and this never happened as far as I know.

Q. Now, when you lost some of these people, there were some instructions put out as far as mandatory training in Hawaii that had to be accomplished. Do you recall any of the subjects that were mentioned, that you had to cover prior to leaving Hawaii?

A. Well, POR?

Q. The POR qualification.

A. Of course, one would be weapons, Code of Conduct--these are the things I still have in mind now. I imagine about 15 or so were required.

Q. To your knowledge, did you accomplish all of this training? Considering the personnel turbulence, did you accomplish all of this training prior to leaving Hawaii or did you have some carryover that you had to accomplish in Vietnam?

A. If you're stating was it--did 100 percent get all of it, no, because the turbulence was too great. But the vast majority did receive this training.

Q. Were you to receive training to your knowledge when you arrived in Vietnam? Was your unit to be given a period of time to accomplish mandatory training.

A. Yes. Of course, they have a school in Vietnam.



I forget where it was located at the time, but we did go to it for 3 or 4 days, I can't remember.

Q. Was this school presented by people from the 11th Brigade or were these people the instructors from the 3d Brigade of the 4th Infantry Division?

A. They were not from the 11th Brigade, so I'm not sure what they were from. I assume they were from the 3d Brigade.

Q. These instructors, did they come down to your unit or did you go to some training facility to receive these instructions?

A. We went to a training facility where they had some mock villages and booby traps, etc.

Q. Right. so they gave you instructions on the proper search techniques and procedures using Vietnamese villages that had been abandoned, is that correct?

A. This is correct, but I don't think they were used to the tremendous load that they had at that time. There was a whole brigade coming over at that time. I considered the instructions adequate because everybody that was over there was very anxious to learn. They realized it was to their distinct advantage.

Q. As you recall, this school lasted how many days?

A. I really can't say. I remember attending the classes, going through the villages, looking at VC weapons, and that's all I recall at this time.

Q. Do you recall that during this period of time the handling of PW's was covered?

A. I can't recall.

Q. How about rules of engagement, was this subject covered on this orientation in Vietnam?

A. I believe it was, but I don't recall the details though.

Q. Did you ever receive any instructions either in Hawaii, or in Vietnam, or for that matter even during your OCS training on the subject, or reporting atrocities?

A. If you narrow it down to that, no, I don't recall.

Q. But you did receive training on the Geneva Convention?

A. Yes.

Q. In other words, you had a basic course. When was this?

A. I received it several times in OCS and at the 11th Brigade in Hawaii. Of course, they have cards that you carry in your billfold that list the provisions there.

Q. Could you expand on this training as far as the scope is concerned. Realizing that these cards are available--and you apparently received a card on the Geneva Convention--as far as the scope was concerned, did it primarily concern itself with the point listed on the card or did it get into the Geneva Convention of, let's say, 1949? Did anyone go back into the history of the Geneva Convention?

A. Well, essentially, they expanded, you know, what was on the card; they expanded it. Of course, there are some good movies on the subject that were shown, and that's what I recall at the time.

Q. One other question regarding training, did your unit, while it was in Hawaii or upon arrival in Vietnam, receive any training in regards to the constitution of a lawful order? In other words, what is a lawful order and what is not?

A. Yes.

Q. You did receive some training?

A. Yes.

Q. The troops did receive training on this?

A. Yes.

Q. Do you recall the scope of that training? How much time was spent?

A. I think it was probably an hour class in conjunction with your rights--the JAG-type courts, and the troops, of course, this was of interest to them. It was presented to them. I think there was a movie on it also.

Q. To your knowledge, do you recall a JAG-type officer, someone from the JAG office, presenting this instruction?

A. As far as the 11th Brigade is concerned?

Q. As far as the 11th Brigade, the training that was accomplished in country. Or was this presented by a company officer using training films or something such as this?

A. I know that we had a JAG officer give a talk, but I'm not sure it was on this. It probably was.

Q. You don't know whether he covered constitution of a lawful order, or the Geneva Convention, or reporting atrocities, but you do recall a JAG officer having a class?

A. I think it would cover what a lawful order is, and this I think this was arranged at the company level. I think they requested that a JAG officer come over and give the class. It was--wasn't a brigade-type class or battalion-type class.

Q. Your platoon apparently had received a lot of filler personnel, as you mentioned. You were short as far as the squad leaders were concerned, the squad leader, platoon sergeant, section leaders, and things like that.

Q. We were short in almost every respect. I think we went over about, I'm not sure--about maybe 34 people, and, of course, the TOE is what, 43 now? And, of course, immediately when you get this, you start losing people from accidents, illness, malingering, and stuff like this. And often times I went out with a 20-man platoon. This is nothing unusual, and this was with Task Force Barker.

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Q. To your recollection then, as far as the junior leaders, there was turbulence there just as it was with the rest of your troops. You didn't have any people that were assigned early during training in Hawaii that remained in your platoon?

A. Sergeant CARIS, Sergeant TUMACDER, these people were with the platoon quite some time.

Q. Those are the only two that you recall to be rather permanent?

A. These are the only two career Army personnel. The rest that I assume were the type that would serve there time, then they would go to civilian life.

Q. That's all I have on training.

COL ARMSTRONG: Well, Mr. COKER, I appreciate your coming in. I would like to refresh your memory in saying that we request you not to discuss this with anyone. We point out again, this does not apply to any official investigations or any CID people that may come and ask for statements, people of an official investigating nature. I want to thank you very, very much for coming in, for the information you have given us. It has been very helpful. We are trying to make sure we don't leave any stone unturned, you can see what we are doing. You can see we have talked to over 350 people, including Vietnamese. General PEERS has gone all the way to Vietnam with his group. We have talked to 15 Vietnamese civilians, officers, and so forth. If you by any chance have any papers, maps, photographs, or anything that might be of assistance to this inquiry, we would appreciate it if you send them in to us--maybe letters to your wife or something of this nature, just send them to us. We'll just copy them and get them right back to you. It's quite possible now that on the way home or a week or 2 from now, something will click, and if you can remember something, or if you can recall back to it. Because we have concentrated your thinking several hours on this period of time. Please call us. We'll get somebody out to take your statement, or ask you to come back, or something of this nature. And again, I point out some of the things that you may not even think were significant, might be very significant to help us fit a small piece of the puzzle together. We also give everyone the opportunity to either ask questions of us or make a

statement for the record. And I give you this opportunity now.

A. Well, I don't have a statement to make. I think everything was covered pretty thoroughly as far as what I remember. I was surprised that I had forgotten so much, and, of course, maybe later I will remember more.

Q. I'll appreciate it if you do get the information to us.

A. All right.

COL ARMSTRONG: Everyone we call in is reported to the investigating subcommittee of the House Armed Services Committee which is conducting a parallel type of investigation. We give them a roster of the names, who they are, and the positions they held. They quite often call some of these people. I do not anticipate they will call you, but the legislative liaison here in the Department of the Army will know that, and Major COOP will coordinate with them to see if you're free to go. When I say free, you are a civilian and free to do what you want short of a subpoena. If this is the case, they will check you out. I don't think they'll call you, but they might because they like to know what we're after. We don't try to hide it, but General PEERS reports to the Secretary of the Army, not to the Congress at the moment.

The hearing will recess.

(The hearing recessed at 1145 hours, 18 February 1970.)

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SUMMARY OF TESTIMONY

WITNESS: EIKENBERRY, Roger SP4

DATE OF TESTIMONY: 13, 14 February 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: Murder

COUNSEL: Michael GOLDEN, JAGO, DA, Washington, D.C.

DUTY ASSIGNMENT ON 16 MARCH 1968: Third Platoon, A/3/1.

1. THE COMBAT ASSAULT.

a. Actions on the 16th.

A Company was the blocking force for the Son My operation (pg. 4). EIKENBERRY recalled that at about 0800 an assistant machinegunner stepped on a boobytrap which wounded him and killed the machinegunner (pg. 23). These people were evacuated (pg. 23). A short while later a platoon RTO hit a boobytrap, was wounded, and was evacuated (pg. 23).

b. Actions on the 17th.

During the day they received some sniper fire (pg. 4). They were attacked that night and grenades were thrown into their laager site killing SEVIER and GRENHAM and wounding five others (pgs. 4-6). All the casualties were medevac'd that night (pg. 5).

c. Actions on the 18th.

They moved five or six kilometers to a hill on the 18th (pg. 9). EIKENBERRY thought that they had helicopter protection this day and that they captured a VC with a carbine (pgs. 9, 11, 12, 13, 26). DAVIS was wounded on this action and evacuated (pgs. 11, 12, 14).

(EIKENBERRY)

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They received heavy sniper fire that day (pg. 12). The witness recalled an incident that might have occurred on the 18th in which he "finished off" a VC suspect who had been shot by the machinegunner while running at a distance of 300 meters (pgs. 13, 14). EIKENBERRY and his squad leader went out to check the man (pg. 14). EIKENBERRY was told by his platoon leader over the radio to put the man out of his misery (pg. 14).

d. Actions on the 19th.

On the 19th they moved to the beach where they helped some Vietnamese chop wood (pg. 24). All he remembered about this day was that he had an opportunity to relax on the beach (pg. 24).

2. OTHER INFORMATION.

a. He had not spoken to anyone about the incident since it became a matter of public knowledge (pg. 3).

b. The witness was the only tunnel rat and demolitions expert in the company (pg. 7).

c. He recalled one incident where the company was under the command of a Captain SHELTON (pg. 29). They found a permanent building crammed with rice which they blew up (pg. 29). They discovered a tunnel complex so large it took 200-300 pounds of TNT to destroy (pg. 29). Some rice was burned and the rest was shipped out (pg. 29). No hootches were burned (pg. 29). The young people of the village were rounded up and questioned (pg. 29).

(The hearing was reconvened at 1104, 13 February 1970.)

COL ARMSTRONG: This hearing will come to order.

RCDR: The following persons are present, Colonel ARMSTRONG, and Major APICI, and Major COOP.

The next witness is Specialist Four Roger EIKENBERRY.

(SP4 EIKENBERRY was called as a witness, was sworn and testified as follows:)

State your full name, grade, Social Security number, branch of service and station.

A. Specialist Four, Roger A. EIKENBERRY, Company A, 16th Engineers.

RCDR: Is that Fort Hood, Texas?

A. Right.

RCDR: You are in the United States Army?

A. Right, sir.

COL ARMSTRONG: Specialist EIKENBERRY, I am Colonel ARMSTRONG, and I have been appointed by the Office of the Chief of Staff to assist General PEERS in this investigation.

Have you read the preliminary instructions (Exhibit M-57)?

A. Yes, I have.

Q. Do you understand them?

A. Yes, sir.

Q. Do you have any questions about them?

A. No, sir.



Q. You should know there are other groups taking testimony. There are civilian lawyers who are helping General PEERS and helping the Secretary of the Army in this investigation. The reason I tell you this is to tell you the scope of this investigation. We are trying to get information, basically, for the reasons you have read in the instructions. We have talked to over 350 people. General PEERS and the civilian lawyers have visited Vietnam and have talked to the Vietnamese. This is a widespread investigation, and we have a lot of information. We know what went on in the Pinkville area and the My Lai area around the middle of March 1968, when you were with them. The purpose of getting you in here is that even after 2 years you may be able to furnish a little information about this operation that your company was in that would be of help to us to fill in some of those gaps. This is an exchange of information, you are in here to help, that's the idea behind it. Now I will lead you in process of this questioning. I will lead you back and try to recall events to you that may jog your memory so that it will help you to remember a little bit. This is why I've asked you to come in.

Would you tell me please the dates of service and the positions you held while you were with A/3/1, when you joined the company or when you left the battalion or division, and tell me what jobs you held while you were with the unit?

A. I first came in the battalion November 1967, and I originally was a cook to start out with. Then on the way to Vietnam, on the ship, I volunteered for infantry, to go to a line platoon, and I served Alpha Company as their tunnel rat for the full tour of Vietnam, from December 1967 to 1968.

Q. December, 1968?

A. Yes.

Q. You were in what platoon?

A. 3d Platoon.

Q. All of the time?

A. Right, sir.

Q. You were their tunnel rat?

A. Yes, sir.

Q. Why did you volunteer to go to a rifle platoon?

A. Well, sir, at the time I was involved with a lot of trouble and everything when I was in Hawaii. The name that I had and everything, well, certain people like my parents and older people, everybody was getting the wrong impression of me. It was partly that, and I was, as they say, really gung-ho at the time. People called me a TV soldier because that is the way that I operated when I was over there, because I really liked soldiering while I was over there in combat. It was just a feeling that I had and everything. I felt like I was a good soldier while I was over there and people considered me a good soldier while I was over there. I tried to do something a little extra that somebody else didn't do, and that is the reason why I volunteered for a line platoon.

Q. Now, since last fall, October, September, whenever this Pinkville incident hit the newspaper or television, have you discussed this with anybody who was connected with the Americal Division?

A. I have not. This went through my mind, personal thoughts and that is all it's been. It's just been personal thoughts.

Q. Does anybody in your outfit at Fort Hood know that you were in Task Force Barker?

A. Not that I know of, no. I ran into a couple of old buddies and everything, but I think they have gone somewhere else of ETS'd. It's been a mutual acquaintance. We knew each other and everything. Most of it's been just personal thoughts to myself since I came home.

(The witness was oriented to MAP-5 by Col ARMSTRONG.)

Q. Let the record reflect that I have oriented Specialist EIKENBERRY on the map of the area and the Task

Force Barker AO, so that any reference can be made to events he is familiar with.

Specialist EIKENBERRY, tell us what you remembered about the operation, from the time that your company was in it's blocking position through the attack, the mortar attack by the sappers, and anything past that.

A. Well, we were put in a blocking force and I don't remember all the details, but I do remember that day and we didn't see anything. All we were doing was getting a few sniper rounds. All I remember was a lot of smoke and a lot of firing and everything. Really we just followed orders here and there. After everything died down, we moved into the area that was supposed to have been hot, in a manner of speaking. I remember that night where we set up bivouac and we got hit that night. What it was we got some grenades thrown in our site. I remember the night exactly, because that morning I went back to blow three grenades that didn't go off, because I set one pound of TNT on each grenade. I remember everything up to that morning and anything after that I cannot exactly remember, any specific movement or operations that we were involved with. It just involved marching back to our main point of departure, but any specific information I can't remember at the time.

Q. Let's try to reflect. You blew these grenades. When did you blow these grenades, what time in the morning, do you recall?

A. It was early in the morning, we usually woke up and started moving out around 0600, something like that and I'd say it was between 0600 and 0700. It was early that morning. It was daylight out and the rest of the company moved on and I came back with one other man standing guard for me. I blew exactly three grenades that didn't go off the night before.

Q. Do you remember definitely that the company moved out early in the morning?

A. That is right.

Q. During the attack there were some men killed, two of the men were killed and five men wounded.

A. That is correct.

Q. Were the bodies still there?

A. No, we called in a dustoff that night and they got everybody out that night, the ones that were killed and the ones that were wounded.

Q. So there was nobody that had to come in and get the bodies out. They had already been evacuated?

A. Right, we evacuated then with a dustoff.

Q. Can you name the names of those men that were killed?

A. Only by nickname. It's been such a long time, I can't remember their full name. I can only remember them by nickname.

Q. Could you give me their nicknames?

A. One was "X", and the other one we called him Bobby. His first name was Bob, but we called him "Bobby Bear", because he was a big guy.

Q. Would you recognize their faces? GRENHAM? SEVIER?

A. SEVIER.

Q. Who was he? Was he "X" or was he Bobby?

A. It had to be one of the two, because we ran around a lot in Hawaii. It's just one of those things. You just call them by his nickname.

Q. This is the instance where SEVIER was killed?

A. Right.

Q. He was one of the two men killed?

A. Right.

- Q. And you remember GRENHAM?
- A. Right, the big guy was killed. He had a throat operation and he had a big scar on his throat. That is how he was the one that was killed.
- Q. Do you remember who was wounded?
- A. The guy we call "X".
- Q. Francis X. CRUZ?
- A. CRUZ, that's it, that's the one that got a piece of shrapnel through the hand.
- Q. What about Andy DOUGLAS?
- A. As far as the other names, I can't remember or really say, because I am not sure on the other two names.
- Q. MCGUIRE?
- A. No, it does not, I can't really say.
- Q. What about James STILES?
- A. No.
- Q. Do you remember definitely that this is the incident in which CRUZ or "X"--
- A. (Interposing) CRUZ.
- Q. And SEVIER were hit?
- A. Right.
- Q. So, we are in the right operation. Now, when the company moved out, did you go with the company and come back to blow the grenades?
- A. No, wherever something like this happens, the company moves out and I always stay behind. Along with being a tunnel rat, I was a demolition man and I had another man to help me carry certain amounts of demolition. This man would

stay back with me and when I set the charges the company would always move out 400 or 500 yards, and we would wait until they moved out, until they were just getting out of our sight. Then we'd blow the grenades and we would catch up.

Q. Did they keep moving?

A. The company commander would show us where he was going and we would sort of cut across. We knew this area fairly good and so we knew just about how to take a shortcut to catch up with them or meet them at a certain point.

Q. Were you the only tunnel rat in the company?

A. Right.

Q. The only demolition expert in the company?

A. Right.

Q. And they had you assigned to the 3d Platoon?

A. Yes, sir.

Q. Let me ask you, when the 3d Platoon went into an operation, did you go with the 3d Platoon all of the time or did you stay with the company commander?

A. I stayed with the 3d Platoon.

Q. What did the other platoons do when the other platoons ran into a tunnel?

A. They would call me. I just was more or less running around to each platoon.

Q. You knew just about everybody in the company?

A. Right, sir. Like it would take me awhile to remember the names here and there, but for awhile I knew everybody.

Q. I'm interested in this day they left you back, when you caught up to the company, can you remember where the 3d Platoon was in the column? Was it in the rear in the center or in

the lead?

A. I think the 3d Platoon was leading, because whenever we got in a scrap or something, the 3d Platoon would always take the point. Any other day, the other platoons would take over as the point.

Q. The 2d Platoon had just been hit the night before?

A. Right.

Q. All of these casualties were out of the 2d Platoon?

A. Yes.

Q. Would they have been point?

A. Would they have been point?

Q. If they would have taken that number of casualties the night before?

A. No, sir. Whenever we were in a real scrap or fight the 3d Platoon had the lowest number of people killed, because they were more experienced. I'm just saying that the 3d Platoon was always the ones always asked to do this and that.

Q. Who was the platoon leader that day, do you recall?

A. We had so many platoon leaders.

Q. I think you will find this was either Lieutenant WHITE or perhaps Lieutenant LUNDEEN.

A. Lieutenant--

Q. Maybe Lieutenant BOYLE. Lieutenant BOYLE was hit long before that.

A. Okay.

Q. Now, as I understand it, maybe it was Lieutenant WHITE, if Lieutenant WHITE had joined the company at that time.

A. It would have to be, because fortunately Lieutenant LUNDEEN acted as our company commander for a period of time and I think he was our platoon leader once. I think it would fall to Lieutenant WHITE. Right at the present time, I can't remember who was our platoon leader.

Q. You just don't remember anything that particularly pointed out that WHITE had taken over by this time or LUNDEEN was still in there.

A. I don't.

Q. Now, that day you moved over to a hill, you didn't have a far march, you are only talking about 5 or 6 kilometers at the most.

A. I still can't remember if there was something in between there that might have happened. I'm just thinking on what happened after we moved out at the point.

Q. The thing that I am looking for and the thing that I had reported to me was an incident that took place either that day, the 18th or the next day the 19th, because on the 19th you moved from the hill, all the way past Uptight. You were marching across country most of that day so those 2 days in there are about this incident that I am going to ask you about. I'm going to start to lead you into it. Do you remember choppers covering you, scouting for you?

A. Were they bubble type?

Q. Yes.

A. I remember one day particularly that they were.

Q. Why do you remember that day?

A. I remember that one day there were a couple of bubble choppers around us and we picked up one with a carbine. That is the only time that I remember--

Q. (Interposing) One what with a carbine?

A. A VC, and that is the only day that I remember we had any protection by any kind of a chopper.



Q. What did you do with the man?

A. We kept him and we took him with us all the way to an ARVN compound.

Q. Was that during the Task Force Barker operation? Try and think now, was it before Pinkville incident or after the Pinkville incident? Could it have been on this march?

A. It was in Task Force Barker.

Q. So it was sometime between the 1st of February and the end of March?

A. Right, because I remember my best buddy--I always used to call him "Little Buddy" was hit the same day we picked up--

Q. What was your buddy's name, do you remember?

A. I always called him "Little Buddy."

Q. You have plenty of time. Would you remember his name if I called it out to you?

A. I might.

Q. ADDINGTON, ALEXANDER, AVERY, BLAIR, BARRETT, BEVERLIN, BLOND.

MAJ APICI: Do you remember what grade he was?

A. Either a PFC or a SP4.

COL ARMSTRONG: BROOKS, BURD, CHAMBERLAIN, CIRIACHI, do you remember any of these names?

A. I remember them but he is not one of them.

Q. BURKHARDT?

A. No.

Q. CHRISTMAS?

A. No.

Q. CONDIT?

A. No.

Q. BROWN?

A. No.

Q. CORDRAY?

A. No.

MAJ APICI: Was he in the 3d Platoon?

A. Yes, he was a squad leader.

COL ARMSTRONG: DAVIS?

A. DAVIS, that's it.

Q. He was wounded on this action or close to this action that day or--

A. (Interposing) In regard to the empty time in between there, there is a time that he was wounded that was empty that I can not place, and I'm trying to place it. I think that was the time. I'm trying to place the choppers and when he was hit and we picked up that VC at the time in--

Q. (Interposing) This was the same time the choppers were involved?

A. Yes.

Q. You must have had some kind of fire fight?

A. We were getting sniper fire.

Q. This was Thomas DAVIS?

A. Right.

Q. That was the same little action that DAVIS was wounded

in that you picked up these VC?

A. Right.

Q. You can't think of any other incidents where you had choppers?

A. No, this all involved the one day and that night. The only time that we had the bubble chopper was that one day, because we did get heavy sniper fire. We did get reports down that there was something supposed to be in there. For some reason or other they had these bubble choppers going out there through the area and picked up one guy.

Q. Do you know where DAVIS is now?

A. He is home now, he ETS'd when he left 'Nam.

MAJ APICI: Was DAVIS wounded before you got this VC or after?

A. After, because we picked him up hiding in the rice paddy and then we came to a little village there were three or four huts. Tom and I went to get a drink of water. There was sort of an explosion. It was sort of a grenade launcher type of deal. It hit the water, and it splashed up. I had wanted a drink of water at the time and I said no, I'll let him get a drink first and I'll keep an eye out. As soon as I turned that is when it hit and that was directly after, not more than 5 minutes after we picked up the VC.

Q. Was DAVIS badly hurt?

A. His leg was all wrinkled up. It looked like hamburger. It was not really that bad.

COL ARMSTRONG: Let me try this; another time there were choppers, two bubble types, one was flying low, one was flying high. That is the way they normally did this, one up above to protect the one below. Off to the left of the company, they were up ahead of you, the one started circling, does this ring a bell at all? He circled for about 20 minutes.

A. No, I can't pick it up right now.

Q. I'll continue. After he started circling a couple of men left the lead platoon and went over 200 to 300 meters off of the route of march of the company to pick up a VC that this chopper was circling over.

A. Well, the only time I can remember the two bubble choppers was when we found the VC. He was hovering and had him trapped. The VC knew we were coming; we were real close to him; and he gave himself up. This is the only time.

Q. Now, I'll continue on this, because this may jar your memory, I want to feed this to you little-by-little. If you can remember, great; if you can't you can't.

A. This is the only time I can remember and the chopper did hover, he gave himself up and there was no resistance. We went over and picked him up.

Q. Who picked him up?

A. A couple of guys from the platoon.

Q. You didn't?

A. No, I didn't. As a matter of fact, "Little Tom" was always in on this, everytime we captured somebody he was always right there to watch him or something like this.

Q. The time I am thinking about, two of the men went over and there was a shot or maybe two shots and these guys rejoined the company. Then there was a lot of angry radio messages from the chopper to the commander. Then the company commander called the platoon leader and there was a lot of chatter back and forth. Then the company went on and then the chopper left the area. This does not ring a bell.

A. Did we pick up any prisoners then?

(COL ARMSTRONG indicated in the negative.)

There is another time where I can't place any choppers but there was a lot of squabbling over the radio about whether we should take care of this guy or what. There was one time there was a VC that was running and he was shot, one

shot in the chest at about 300 meters by a guy in the platoon who had a 60. He fired one time and hit the guy. We assumed he was a VC and we were told to fire and we fired. Me and my squad leader went out and the VC, he didn't have any identification on him at all and he had half his guts blown out. My platoon leader said to shoot him and put him out of his misery. That was the only time I remember of any incident like that where there was anybody squabbling over the radio.

Q. Your platoon leader said this to your squad leader over the radio?

A. It was the hand radio.

Q. Your squad leader was with you?

A. Yes. My leader was with me and he said, "Should the tunnel rat go on and finish him off?" And the platoon leader said, "Go ahead and do it."

Q. Let's not talk about this any more for a second.

Do you have any idea there were no choppers involved in this?

A. Not that I can recall. I can only recall the one time having choppers.

MAJ APICI: Your buddy DAVIS was hit?

A. Yes.

Q. Did you get a dustoff then or was he evacuated or what?

A. He didn't want to go right then and the company commander didn't want to bring in a dustoff then, because of the sniper fire we got. Tom said he can go on a little bit further until we get to a clear area and then he was dusted off.

Q. He was evacuated?

A. Yes.

Q. He didn't come back to the area?

A. He came back, but he was on a hospital ship for a couple of weeks and then he came back.

COL ARMSTRONG: Was he in pretty good shape?

A. He had a limp.

Q. We will recess at this time.

(The hearing recessed at 1155 hrs, 13 February 1970.)

(The hearing reconvened at 1119 hours, 14 February 1970.)

COL ARMSTRONG: The hearing will come to order.

RCDR: The following persons are present, COL ARMSTRONG, COL MILLER, and MAJ COOP.

Sir, the hearing recalls Specialist Four EIKENBERRY.

(SP4 EIKENBERRY was recalled, reminded of his oath and testified as follows:)

Specialist EIKENBERRY, you are reminded that you are still under oath.

A. Right, sir.

COL ARMSTRONG: When we terminated your testimony yesterday, just before lunch, and reviewed that testimony, I want to tell you EIKENBERRY, that because of the latter part of your testimony, about the incident of the VC out in the field, that we suspect that you may be guilty, and I say suspect, guilty of a crime. Because of this, I have asked Colonel MILLER, who is a JAG officer, to spell out what this means to you and to give you advice the way you should have it. As I pointed out, we suspect, we are not accusing at all. We want to make sure that you have your rights spelled out to you.

COL MILLER: I was not here yesterday but I understand that Colonel ARMSTRONG was asking you some questions about Company A. You were relating to him some of the things that you had done and the company had done at various times. The last things you were talking about was an incident involving a particular Viet Cong who had been shot and you went with your squad leader to see what you could do with him. The last comment you made was substantially to the effect that your squad leader had called the platoon leader and the word came down that you should kill the Viet Cong. At that point, Colonel ARMSTRONG stopped. Although there is no evidence as to what happened thereafter, there is a possibility this order was carried out. I do not know, he does not know, whether it was, but the fact that it had gone this far at least raises a suspicion you may have carried out the order to kill this Viet Cong. If you did so, this would be a very serious offense against the law of war and also against the Uniform Code of Military Justice. It might constitute the offense of murder.

The only information we have on this so far is what you said. Under Article 31 of the Uniform Code of Military Justice, you have certain rights. I want to explain them to you at this time. Do you understand what I have said so far EIKENBERRY?

A. No, sir.

Q. Since there is a suspicion at least that you may have committed an offense, you now have a right to remain silent and to answer no questions whatsoever. If you do make any further statements, they could be used as evidence against you in a criminal trial. You have a right to consult with counsel, a lawyer. This can be a lawyer whom you employ or it can be a lawyer whom we will make available to you, a military lawyer. This will be without any cost. If you have a particular counsel that you would want and he is reasonably available, we will try to make him available. If you don't, in the event you want a lawyer, we do have a lawyer who is available, a Judge Advocate General Corps officer.

If you decide that you would like to have counsel, you would be given an opportunity to talk to him. When you are called back, he could be here with you. You could consult

with him and he could talk to you at any time. If you thought it necessary to take a recess, you could do that. In other words, he can be with you at all times during the questioning. Now you may decide that you would like to go ahead and testify today without having your lawyer here with you and you have this right. If you decide to do that, you can refuse to answer any particular question or all questions, or you can ask that the questioning be stopped at any time. You would also have the right, if you start talking without counsel to say that you would like to have counsel and request that one be made available. We would make one available as soon as possible. Now do you understand the nature of the suspicion at this point?

A. Yes, sir.

Q. Do you understand that you are suspected, on the basis of your testimony yesterday, of having possibly killed a Viet Cong who was wounded and helpless and that this might be an offense, do you understand that?

A. Yes, sir.

Q. Do you understand that you don't have to answer any further questions concerning that?

A. Right, sir.

Q. And that you have a right to remain silent, you can refuse to answer any further questions? I would prefer that you answer the questions I'm asking you now but I'm doing this to see that you understand your rights. When I say no further questions, I mean concerning the incident. You understand that you could have a civilian counsel here if you wish or we would furnish a military counsel for you?

A. Yes, sir.

Q. Incidentally, if you decide that you would like to have a civilian counsel, this would be at your own expense. If you would like to have a civilian counsel here at your expense and the military counsel, you could do so. Do you understand, then that if you would like to have a military lawyer made available or civilian lawyer, you can tell us at this time and we will give you an opportunity to get counsel?



A. Sir, may I ask a question?

Q. Yes.

A. What follows up if I refuse to answer anymore questions?

Q. As far as the inquiry is concerned, we will just ask you no more questions. The matter may be referred to the CID for investigation. But now you need not answer any questions.

A. Sir, may I ask another question?

Q. Certainly.

A. Sir, I'm scared. I don't know what to say.

Q. Well, I suggest if you feel you would like to get some legal advice, you should so indicate at this time and we will provide it, whatever you need as far as military lawyer or let you talk to civilian counsel.

A. I'd just soon not answer any further questions on that particular incident.

COL ARMSTRONG: Do you want any counsel?

A. No.

Q. Let us recess.

(The hearing recessed at 1139 hours, 14 February 1970.)

(The hearing reconvened at 1149 hours, 14 February 1970.)

COL ARMSTRONG: The hearing will come to order.

COL MILLER: Colonel ARMSTRONG indicated to me yesterday that this came as much of a surprise to him, that you may have been involved in any incident. You were not suspected of anything when you came in here and it is our deep concern that you be

informed of your legal rights and your right to counsel at this point before you decide what you want to do.

I have a military counsel who is immediately available if you would like to consult with him.

A. Sir, I don't believe that I'm guilty of anything, so I'd just as soon not answer any more questions on that particular incident.

Q. Colonel ARMSTRONG would like to ask you some questions on the Task Force Barker, Company A, operations at an entirely different time. You are not suspected of any offense with respect to that operation at this time either. Would you be willing to answer questions on that as against this incident that you discussed yesterday?

A. Yes, sir.

Q. Would you like to have counsel and consult with counsel before you answer those questions?

A. No, sir.

Q. Are you sure about that? You understand that you can have counsel?

A. Any incident that took place in Task Force Barker, sir, I have no reason to have any counsel.

Q. You are willing to answer questions without counsel on that?

A. Yes, sir.

Q. I do suggest that it might be to your interest if you did take time and consult with counsel just to be certain that you know exactly what you are doing. You can talk to somebody who will be your personal representative in looking out for your interest only. But you have the choice of either asking for counsel or not doing so. I certainly would not compel you to consult with counsel if you didn't want to. If you wish to, you certainly have that right.

A. I'll take counsel.

COL ARMSTRONG: You will consult with counsel?

A. Does this refer to Task Force Barker?

COL MILLER: He will be here to represent you on anything concerning your questioning.

A. I'm confused right now.

COL ARMSTRONG: Would you like to think about this for a few minutes?

A. No, sir, I don't want any counsel, I will be willing to answer questions on anything you have about Task Force Barker.

Q. The hearing will recess.

(The hearing recessed at 1152, 14 February 1970.)

(The hearing reconvened at 1200 hours, 14 February 1970.)

Q. The hearing will come to order.

Specialist EIKENBERRY, during the recess, you have had a chance to think about whether you want counsel or not, what is your election?

A. I choose to have counsel, sir.

Q. The hearing will recess.

(The hearing recessed at 1201 hours, 14 February 1970.)

(The hearing reconvened at 1455 hours, 14 February 1970.)

COL ARMSTRONG: The hearing will come to order.

RCDR: The following persons are present, COL ARMSTRONG, COL MILLER, MAJ ZYCHOWSKI, and MAJ COOP.

Sir, the hearing recalls Specialist EIKENBERRY.

Specialist EIKENBERRY, you are reminded that you are under oath.

RCDR: Are you represented by counsel?

A. Yes, sir.

RCDR: Will counsel please state his name and address for the record?

IC: Captain Michael GOLDEN, assigned to The Judge Advocates General's Office, Department of the Army, Washington, D.C.

COL MILLER: Captain, are you a lawyer, admitted to practice law before a federal court or the Supreme Court of the United States?

IC: Yes, sir, I am.

Q. You are a member of The Judge Advocate General's Corps?

A. Yes, sir.

Q. Just before we recessed this morning EIKENBERRY, I told you that you were suspected of an offense, a possible offense of murder, and in this case, it may have been a violation of the law of war; it had to do with the possible killing of a Viet Cong. I also told you that you could have counsel and I explained to you your right to testify or not to testify. After we had discussed this for some time and after you talked to Colonel ARMSTRONG, you decided that you would like to have counsel made available to you. Captain GOLDEN was made available. Have you had a chance to talk to him?

A. Yes, sir.

Q. Have you had enough time to discuss this matter with him?

A. Yes, sir.

Q. Are you satisfied to have him here to act as your

legal counsel?

A. Yes, sir.

Q. After having talked to him, are you willing to make a statement and to answer questions? If you have any limitations on this, you could let us know and before you answer my question, you may want to talk to Captain GOLDEN.

IC: May counsel make a statement on his behalf?

Q. Does he intend to testify at all, to make any statements?

IC: Not pertaining to the incident in question.

COL MILLER: There are other matters that are entirely unrelated to the incident on which he was warned on which we would like to ask questions if we may. If he is willing to testify as to those, I'd appreciate it if you would tell me, and if necessary, Colonel ARMSTRONG will be glad to outline the general nature of the subject matter in which he is interested.

IC: I think that would be appropriate for us and then we can confer once again.

COL MILLER: I'll ask if you would like to make a statement?

IC: I merely wanted to say, that under Article 31, I advised him and he has decided that he does not want to make a statement because the statement that he might make pertaining to this incident is not a matter material to the investigation as a whole.

Q. You may be willing to answer questions on different matters?

A. Yes, sir.

Q. Do you have any other questions? The right to your Article 31 privilege against testifying of course, still applies in that regard.

COL ARMSTRONG: Thank you very much. Specialist EIKENBERRY, we appreciate the attitude you are taking. We would like to

call your attention to the events of 16, 17, 18 and 19 March. Looking at the map behind you (Exhibit MAP-1) and calling your attention to the My Lai (1) Pinkville area; we had discussed the operations of your company in this area on the 15th, 16th and the 17th and also to a degree on the 18th. Since I last discussed this with you, Captain WHITE one of your old company officers has testified and clarified some of the talk of this situation. See if what he testified corresponds with your thinking and your recollection.

He pointed out that the company was put in this area with the 3d Platoon down here. This is early in the morning of the 16th, about 0800, an assistant machinegunner who was new stepped on a booby trap which wounded himself and the machinegunner, who later died. A chopper came in and evacuated the two of them and shortly thereafter, the platoon radio operator blew a booby trap and was wounded and evacuated, do you recall these events?

A. Yes, sir.

Q. The platoon leader moved the platoon back out of this area to a new location which was presumably more free of mines, but to get out of there he pointed out he had to probe his way out. That night you spent in these positions. The next day, the 1st and 3d Platoons went across the river and went into a night defensive position in about this location. The 2d Platoon went out of here and went over and went into a position on this hill, then, about 2115 that night you were attacked and the 1st Platoon took two men killed and the five wounded of those casualties. Captain WHITE says he remembered that because at one time he had been the platoon leader. He knows it was the 1st Platoon because it was his old men. That was Sergeant GRENHAM who was in on that.

The next day, the remainder of the company that was down here rejoined the 2d Platoon up here by going across this place and crossing the river and the foot bridge that you had crossed several times before and then up on this hill area. That was the 18th. You spent the night of the 18th on this hill position, then on the 19th, you moved across over to the beach area. When you were over there, the 1st Platoon stopped a group of Vietnamese women that night who were carrying fish. Do you recall that incident?

A. I remember going to the beach, that was my empty spot in between there, I remember going to the beach and this was the time that we helped some Vietnamese chop wood or they were chopping wood.

Q. You went there to protect the wood choppers?

A. I remember everything up to there but I don't remember any specific incident. All I know, that's about the only time we had a chance to relax for a while.

Q. You may not have known about one of the platoons gathering up a small group of Vietnamese women who were loaded with fish. They just checked them out and found they were all right and let them go.

A. We had a lot of fun swimming and things like that.

Q. Let's go back to the march that day from the hill over to the beach. Do you remember that in any detail? Did the 3d Platoon lead out?

A. Is this the incident now where I blew the grenades that morning?

Q. That was the day before the blowing of the grenades. The morning that you blew the grenades was the morning of the 18th and the 1st and 3d Platoons, the company command group with the mortar tubes, moved to the west across the river on the foot bridge and you stayed behind and blew the grenades. They started out ahead of you and you caught up to them. The company crossed the foot bridge over the Diem Diem River and moved up on the hill and rejoined the 2d Platoon up on the hill where you spent the night of the 18th. Now it's the next day I'm talking about, when you left the hill. Do you remember which platoon led out?

A. I can remember--

Q. (Interposing) Over to the beach.

A. I can remember bivouacing on a hill. I can't place the exact dates. I know we bivouaced on top of a hill a couple of times. But I can't exactly put what dates they were and I do remember going to the beach.

Q. How did you get to the beach? Do you remember the formation the company had on that march across there? A real hot day.

A. I think it was strung out.

Q. What platoon led, do you know?

A. I don't know, sir. I can't say.

Q. Do you know whether your platoon led or not?

A. No, I don't think so, but when we hit the beach, we either did lead out--all I know, by the time we got to the beach, I sat down and rested. A couple of us sat down and took a break for a while.

Q. See if you can remember walking up to the beach with a lot of the company around or just a few people around.

A. We split up. I think we split up and came out on different directions not too far apart, like maybe one platoon here and another platoon here. I think we sort of made an open wide sweep or something. I'm not quite sure. I think the company was split in half. One came out at one part of the beach and we came out at some place else on the beach. I'm not quite sure on that.

Q. But you don't really remember moving across?

A. No, I can't.

Q. I mean the march from the hill to the beach, the formation?

A. Most of the time, whenever we bivouaced on top of a hill or something--there was only two or three times we bivouaced on top of a hill. It was one of these big mountains and we had to string ourselves out to a certain degree because it was so steep in certain places. The only way we could get on the mountain, the time that I remember we bivouaced on it, is to go in single file a few paces apart.

Q. But you had a platoon, one platoon leading; you didn't have a man out of the 1st Platoon and a man out of



the 3d Platoon, and then a man out of the 2d Platoon. You had all of the 1st Platoon leading or all of the 2d or all of the 3d followed by each of the platoons, right?

A. I assume that's the way we did it. Like I say, we took turns taking point. I just can't remember anything. I remember the morning, I think; I remember the night on the hill. There was one night we got served; they sent our supplies in real late. That was one night, and one night we had already had our supplies. I know we stayed on top of the hills a couple of times but I can't place when it was. I do remember walking on the beach. I got a vision of when we hit on the beach. What we did after we got set up, we went around trying to find coal oil to start little fires. We did get some fish off of the village people. Some of the cutters, wood choppers, fixed us up some fish and we gave them some C rations for some fish. We had a couple of sergeants that knew how to whip up some good chow with fish. That's all I remember, is just having a good time. I can't remember the exact details or what happened in between there. How we got to the beach, I just can't remember any specific incident or anything that took place. Getting there was just an ordinary march to the beach, I suppose.

Q. In your previous testimony, you mentioned the fact that you had remembered one time where a chopper had cornered a VC and that you and I believe DAVIS had gone and gathered him in. He had a carbine.

A. I wasn't the one that gathered him up; they already had him. DAVIS was appointed to watch him and somebody else. Then Lieutenant LUNDEEN was the one who was in charge of that movement. Now this was the time we didn't have any company commander at the time. Lieutenant LUNDEEN was the one that took charge because we took off from Dottie and that was toward the beach area. Like I say, we made a thousand and one combat assaults to the same area, 15 or 20 times in one week. The same lousy area. This time the helicopter, the bubble chopper, cornered a guy. That was the same day Lieutenant LUNDEEN was acting as company commander. We took this prisoner to an ARVN compound on top of a mountain. We marched real heavy. I can't remember how long it was, but it was most of the night with no rest. We marched hard and heavy to get there. It was at the very top of the biggest

mountain I ever climbed since I was over there. It was an ARVN compound and we stayed there that night and we moved out again the next day. That was the day Tom--I told you we went to get a drink of water and a grenade or something exploded and he got his leg messed up.

Q. B-40 or B-70 or something?

A. I think it was an M-79 round really. It could have been one of ours or one of theirs. I assumed it was an M-79 round by the way it sounded when it hit. But I turned my back at the same time it hit and he was getting a drink of water at the same time it hit. It hit right inside the water.

Q. Okay. Now let's go to when Captain SHELTON was commanding the company, just about in the same area. I'm trying to identify the hill for you. Remember getting into a village and everything, five or six caches found in this village and then blowing them up--the concrete buildings of the village? Captain SHELTON was commanding.

A. I remember that.

Q. Now the hill was right next to it because if you want to look on this map--

A. (Interposing) I remember now, this is the night we got supplies. We got set up late at night.

Q. Here is the village that you found the rice caches in and here is the hill that I know later on you bivouaced on, the night of the 18th of March. I'm just trying to locate this hill and this time so if you can perhaps remember something about it. The operation with Captain SHELTON of course, was about 2 or 3 weeks before this.

A. I know the operation with Captain SHELTON, the place we lost the machinegunner and his assistant. The reason why that place was booby trapped was because we had two platoons in there I think, in that same little area. We were giving Captain SHELTON cover so that he could get the rest of the way across the field and that was the day that he was hit. Right now I'm getting--we had so many people taking command here and everything.

Q. I think you are a little bit confused about this, because that incident, Captain SHELTON getting hit, is about a week before the machinegunner and the assistant machinegunner blew the booby trap, right in the same area.

A. Then the day that they got killed, the machinegunner and his assistant, I've got this confused, this whole investigation. Is this the time we supposedly had been in a blocking position and 600 or 700 meters away was a heavy dense wooded area which they CA'd one company in and another company was supposed to have been coming up behind?

Q. This is the operation we're investigating.

A. We sat there almost all day and watched them bombard that whole area before any infantry unit was ever in that wooded area.

Q. Then this isn't the operation.

A. Well, this is what I was getting confused on because I know--

Q. (Interposing) 5 minute artillery preparation from about 0725 to about 0730 in the morning?

A. I know that they had one company coming up behind and they had another company that was making a CA into it. I know we made one sweep through that area after it was all over. I don't exactly remember what happened after that but I was confused on--

Q. (Interposing) That's another operation.

A. Well, this is the same place, we were in a blocking--

Q. (Interposing) Same area. Well, what really I'm interested in is this march from the hill over to the beach. Were there and choppers involved in this, flying cover for you?

A. I can't say because I'm not positive if there were.

Q. Let's talk about this operation where you found rice caches. You were with Captain SHELTON and you blew the permanent type buildings.

A. Every permanent type building was completely crammed with rice, even the chimneys in some of these well built buildings. We were on a schedule of some kind, so the best way, he called in demolition teams and everything to come and blow these up. We found a big giant tunnel complex which they used 200 or 300 pounds of TNT to destroy. This was all involved, like they destroyed this whole tunnel, went through the side of a mountain, along with blowing up the front of the buildings along with the rice in them. We burned a lot of rice, we didn't burn the huts now. We took the rice out physically. A lot of it we packed up in sand bags and loaded out on choppers. We worked our butts off loading sandbags up with rice and they loaded them up in the choppers. What they couldn't take, what we didn't have room enough to load up in the choppers, we took the rest of it out and poured water on it. The water was the best way to destroy rice. We didn't burn a single hut. We started out to burn some rice but Captain SHELTON said the best way is to pour water on it and throw it out on the ground. That's about it. I remember the incident now.

Q. Same day.

A. I know we had all kinds of people in that village gathered up and they had a couple of interpreters fly in on choppers. I think we spent almost the full day while half the company was loading rice up, destroying it. Then they had the other company rounding up all the young people of the village and had them all in one circle questioning them and everything. That's all I can remember on that.

Q. See if you can remember this incident? Right in the same area, right around the same place that you saw the rice, this was right north of the river, remember that? A chopper was flying around on the other side of the river and apparently saw what he thought was a VC. He came back, came over to the company and picked up Captain SHELTON and one other man and went over across the river to what they thought was a VC; do you remember this?

A. I can't--

Q. (Interposing) When he came back, they found out it was a farmer and reported that they found out it was a farmer.

A. I don't remember anything about this.

Q. You do not remember a chopper covering you when you were marching except the one time when they cornered that VC with a carbine?

A. That's the only time I remember a couple of choppers covering over us. The reason why we were there in the first place, it was reported they were scouting the area in the first place. We were just caught up in the middle of our chow and everything and had to get loaded up and go out there. Half the guys didn't have half the gear and we just moved out on the spur of the moment. That's the reason I think we were there in the first place because they spotted some action going on in that area, some people were seen, so that's why we picked up that guy.

Q. Specialist EIKENBERRY, I want to thank you for coming in. I appreciate everything you have done to try to tell us what you know and I'd like to remind you that you are not to discuss this, anything that happened in this room, with anybody except with the advice of your counsel. Particularly, you're not to discuss it with anybody who might sometime or other be a witness to this inquiry. Now in the event you are questioned by or called before an administrative, judicial or legislative investigation of the My Lai incident, anything you have testified to here you may testify to there. Again, I would advise you to seek the advice of your counsel on this, but I want to thank you very much.

You ought to be very, very proud to know the comments that have been made by Captain WHITE and by the other members of your platoon about you. And I would like to have your reputation. Do you have anything you would like to say or any questions you would like to ask?

A. No, sir.

Q. I want to thank you very much.

(The hearing recessed at 1520 hours, 14 February 1970.)

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SUMMARY OF TESTIMONY

WITNESS: ELLIOT, Vernon R.

DATE OF TESTIMONY: 19 February 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: Platoon Sergeant,  
First Platoon, A/3/1.

1. BACKGROUND INFORMATION.

The witness joined the 11th Brigade in November 1966 (pg. 2). He trained in Hawaii with the unit and on 5 December 1967 he departed with A/3/1 for Vietnam (pgs. 2, 3). He left Vietnam for the United States in early December 1968 (pg. 3).

2. PRIOR TRAINING IN THE RULES OF LAND WARFARE.

The witness discussed the training that was received by the unit at the Jungle Warfare Training Center in Hawaii, amphibious exercise on Molokai, and upon their arrival in Vietnam (pgs. 21-27). The witness stated that he was trained in the Code of Conduct and the Geneva Conventions, but did not recall by whom (pgs. 25-26). He recalled that when they first arrived in Vietnam they were told that "you don't fire at anybody unless they fired at you" (pg. 26). He stated that as time went by this rule was no longer followed (pg. 26). The witness stated that he recalled having a class on the legality versus the illegality of an order (pg. 28). He stated that he could have had a class on the reporting of an atrocity or a war crime, but it did not stand out in his mind (pg. 29).

(ELLIOT)

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3. PREOPERATIONAL PLANS AND BRIEFINGS.

The witness did not recall receiving a briefing on 15 March (pg. 21).

4. COMBAT ASSAULT.

a. The grenade attack on 17 March.

The witness did not recall the activities of the unit on 17 March (pg. 8). He did remember the grenade attack which occurred at 2115 hours and resulted in two men dead and five men wounded (pg. 8). The witness stated that the wounded were evacuated as quickly as possible (pg. 10). The bodies of the two dead men were not taken out until the next day (pgs. 10, 11). Before they were removed another helicopter flew in carrying either Colonel HENDERSON or Lieutenant Colonel BARKER or both (pg. 11). The witness did not know if Colonel LUPER was present that day (pg. 12).

b. Activities on 18-19 March.

The witness recalled that on the evening of 18 March they laagered on a steep hill (pg. 13). The next morning the unit went over to the beach (pgs. 13, 14). The witness could not recall what platoon was leading the way as they moved to the beach (pg. 14). He recalled that they set up a CP, had security, and allowed the men to go swimming (pg. 14). He recalled that on the night of 19 March while they were set up in an ambush formation along a woodline they captured two women with large baskets of fish (pg. 14).

5. OTHER INFORMATION.

a. The witness was told about an incident in which a helicopter pilot informed the company commander of a Vietnamese hiding in a rice paddy (pgs. 16, 17). Two soldiers were sent out to capture him and they killed the man (pg. 17). When the pilot called down by radio to find out what happened, he was told that the man had a grenade in his pocket and was a VC (pg. 17). The witness did not know about this incident (pgs. 17, 18).

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b. The witness described EIKENBERRY as "one of the worst mistakes the Army ever made" (pg. 19). He stated that EIKENBERRY "played tunnel rat" long enough to build up a reputation and then get a "soft job in the company" (pg. 19). He stated that the man was no good as a soldier (pg. 20).



(The hearing reconvened at 1235 hours, 19 February 1970.)

COL ARMSTRONG: The hearing will come to order.

RCDR: The following persons are present: COL ARMSTRONG, LTC BRANDT, and MAJ COOP.

I have an exhibit for entry into the record. This is a line of succession roster from March 1968 to January 1970. It covers the following headquarters: III MAF; Americal Division; 11th Infantry Brigade; Task Force Barker; 123d Aviation Battalion; 174th Aviation Company; 6th Battalion, 11th Artillery; and the advisory element, Quang Ngai Province. This is entered into the record and identified as M-120.

The next witness is Mr. Vernon R. ELLIOT.

(MR ELLIOT was called as a witness, was sworn and testified as follows:)

Sir, will you state your full name?

A. Vernon Ray ELLIOT.

RCDR: Your occupation?

A. I'm a store clerk in a liquor store.

RCDR: Your address?

A. 315 Hogan Road, Rossville, Georgia.

COL ARMSTRONG: Mr. ELLIOT, on my left is Colonel BRANDT who will also ask you questions. One of the first things I'd like to know is if you have read the preliminary instructions (Exhibit M-57)?

A. Right, sir.

Q. Did you understand them?

A. Yes, sir. I think so.

Q. Do you have any questions on them?

(ELLIOT)

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A. No, I don't.

Q. Of course, you and I have met before. I want to point out that there are other such groups taking testimony. In fact, there are two civilian lawyers who volunteered their services to the Secretary of the Army to assist in the inquiry. They were so detailed to General PEERS to assist him. We have interrogated up to 350 individuals so far. However, General PEERS alone is responsible for reaching the conclusions, writing the report, and making the recommendations on this inquiry.

I would also like to remind you that the preliminary instructions requested that you not discuss this outside of this hearing room except as you may be required to do so before some official judicial, administrative, or legislative investigative body.

A. Yes, sir.

Q. Mr. ELLIOT, the way I conduct this interrogation is I'll ask you a few standard questions to identify where you were, what your position was and this sort of thing. Then I will go off the record in a more informal fashion to brief you thoroughly as to the events of the period of time that we are going to be discussing, about what your unit participated in, to focus your memory and your recollection into that particular time. We will then go back on the record and try to get as much information from you as you can possibly recollect. We are very informal in these proceedings, because the most important thing is to try to focus your attention to that particular period of time back in 1968 so you can remember what occurred.

The first question is would you state for us your position, your period of service, the dates you were in the Americal Division, or in the 11th Brigade, or A/3/1 Infantry even as far back as Schofield Barracks in Hawaii and until you rotated home from Vietnam?

A. I joined the 11th Brigade in I think November of 1967--no, 1966. I stayed there 13 months. I trained with the unit. I was a platoon sergeant, a staff sergeant E-6. We left by boat 5 December 1967. I stand to be corrected, but I think it was 5 December 1967 and we were part of the Americal Division when we got to Vietnam.

Q. You were in A Company?

A. A/3/1 Infantry.

Q. How long were you with A Company while you were in Vietnam?

A. For a year. For the 12 months I was there.

Q. The reason I ask is because you were infused, and you lost a lot of people to the infusion program.

A. Yes, sir. I wasn't. I stayed there.

Q. And you rotated back to the United States?

A. Yes.

Q. In early December 1968?

A. Yes, sir. I believe 14 December roughly.

Q. And you were the platoon sergeant of the 1st Platoon all the time?

A. Yes, sir, all the time I was over there. Well, the other platoons rotated platoon sergeants because of casualties and what have you, but I felt pretty lucky. I was in the same platoon for 12 months.

Q. Okay. Now let's go back to this past fall, in September and October, when the Pinkville or My Lai incident hit the newspapers and TV and Life magazine. Have you spoken to any of your old company mates or people who were in the brigade since that time?

A. Well, we had in our weapons platoon Sergeant Norman D. HILL. He was from Texas and he and I went on R&R together. And he came to see me here about a month ago. He's divorced, and his ex-wife and child are in Cleveland, Tennessee. When I heard about it, and when I say him I says, "How about this My Lai incident? Can you believe it?" And he told me, "Well, I hadn't really paid much attention." I said, "Well, you should read up on it because they've really got something going."

Q. He was in your company?

A. Yes, sir.

Q. I take it from this that you were rather surprised when this came out?

A. I was. I want to answer your questions, and you know I've got things, you know, that I'd like to say about that. You know what I mean, well--

Q. (Interposing) Please say anything that you want.

A. I'd rather you ask me the questions; then if it doesn't come out, I'll tell you.

Q. Why were you surprised?

A. Mainly because every time my company went into My Lai, we got hostile action. We never went into My Lai without it, and I saw a lot of people die in My Lai and get wounded. We would go days without getting any enemy and see people hit booby traps, and that was the worst place in the world. Well, I don't know. I think about it every day because I had the same people in Hawaii that I carried to Vietnam in my platoon. I knew them, and I watched them. I watched some of them die, some of them get wounded. I never met anybody since I have been in the Army that I thought capable of doing anything unjust over there, and I know this is about something that somebody is supposed to have done. But I've never met anybody that I thought would do anything that anybody said people have done over there. That's all I want to say on it.

Q. Well, this has come as a surprise to many of us. The shock was fantastic.

A. Yes, sir.

Q. It is interesting to get the same reaction out of somebody who was actually in the area at the time. I'm going to go off the record at this time to brief you on the exercise to get your mind focused back just to the details so that you might recollect better. We'll take a recess at this time.

(The hearing recessed at 1245 hours, 19 February 1970.)

(The hearing reconvened at 1310 hours, 19 February 1970.)

COL ARMSTRONG: The hearing will come to order.

RCDR: All present when the hearing recessed are again present.

COL ARMSTRONG: Mr. ELLIOT?

A. Yes, sir.

Q. You have listened to me brief you on what the operations were of Task Force Barker during the period from 1 February to about 1 April. Would you please recount for us everything you can remember step by step from about 15 March on tracing what your platoon did, what your company did as you recall through about 19 or 20 March?

A. The dates and all I couldn't verify, but I can tell you that I remember distinctly when Captain TRINKLE got shot. I can tell you that. When we left fire base Dottie my platoon was blocking outside of My Lai, and the other portion of the company were CA'd in and when they--the operation didn't go as we had planned because--

Q. (Interposing) This is on or about 23 February when Captain TRINKLE got hit?

A. Yes, sir. (Using a sketch map drawn by the witness during the recess) This is My Lai. When the majority of the company CA'd in, it was planned that I would block them coming in from this direction (indicating south). Well, Charlie went this direction after he had hit the company and caused quite a few casualties. If I recall correctly, Captain TRINKLE got shot late in the morning about 1100 or 1130 to my recollection. He went in that night at 8 o'clock after every platoon was secured. He would not go to the hospital. I mean he wouldn't take a dustoff chopper. He was about a 5-foot man that had more guts than most of us. I respected him. I'm telling you he was one of the best company commanders that I've ever seen while I was in the Army.

Q. Now, do you remember the movement of the company down to the blocking positions north of the Diem Diem River about 15 March?

A. Not specifically, I can't.

Q. Do you remember the blocking positions as I outlined it to you on the map, the company being in there while the rest of the task force--

A. (Interposing) Well, we blocked a lot in the company, you know. Every company did. I can't specify the dates and, you know, I just can't do it. I wish I could.

Q. All right. Let's go back to the reference point then, to the grenade attack that took place on the night of the 17th. Do you recall that position?

A. Yes, sir.

Q. Okay. Go back the day before that on the 16th. You were in position. Do you recall the company being in the blocking position north of the Diem Diem River?

A. Well, I don't simply because I can't remember. I know that we were occupied every day, but I can't pinpoint it.

Q. All right. Maybe this will help you. Early in the morning you had a movement into these positions before day light. You were in the positions around daylight. Lieutenant JONES was with you in the 1st Platoon and Lieutenant WHITE had taken over that 3d Platoon. About 0800 that morning Lieutenant WHITE was over there and you had sort of a proprietary interest in Lieutenant WHITE. He had been your platoon leader for a long time. One of his assistant machinegunners who was a new man tripped a booby trap and wounded himself and the machinegunner. Lieutenant WHITE getting them dusted off, his RTO helping, blew another booby trap wounding the RTO, and they had to get him dusted-off. So the 3d Platoon had to move on up out of here a little bit and move back away from this bridge, because they'd had one man killed and two men wounded both in the 3d Platoon from these booby traps. Lieutenant WHITE adjusted the platoon's position and moved out of this dangerous area. In the meantime, the attack

had gone on down here. There had been a hell of a lot of shooting early till about 10 o'clock. A lot of smoke. Lots of noise. Now let me ask you a question. Did you have one of those little radios, squad-type radios that fits in your helmet? They were plugged into every other squad radio in the brigade, from what I understand.

A. Yes. I think everybody was on the same frequency.

Q. Do you recall this is the first time the company had a real rest. I appreciate this, your platoon sitting here, and you could more or less monitor what Bravo Company was doing down here, and what Charlie Company was doing here. In fact, you might ever hear some of their radio transmissions. You couldn't help it; you'd listen in on it, or maybe you couldn't.

A. I can clarify that about the radios being on the same frequency. The only company I have ever heard on the radio, on my squad radio, was B/4/3 the day Captain TRINKLE got shot. My platoon, on the way to join the company, got pinned down about 200 yards from the rest of the company and I mean bad. But on the initial burst of fire, nobody got hit, and they weren't over 75 meters from us with automatic weapons. Well, I got on the radio after we had tried to get out. We couldn't move, and Lieutenant JONES and Sergeant NEEDHAM tried to crawl up and throw grenades on one gun. Every time they'd throw a grenade, there was bamboo in front of it, and the grenade would bounce back, and they got shrapnel from it. It stands out in my mind because, you know, I can't forget that. Well, when I got on the radio, I heard B/4/3 was on the radio. Now, I told them I could hear them behind us. They were making a sweep up. One platoon was. And the company commander was with them. I told them to keep coming and don't fire and that my platoon was pinned down and they came up. They had APC's and Captain MICHLES, I believe came up, and said, "Who's in charge of this platoon?" I ran over there and I said, "My lieutenant's up here, and he can't move; he's pinned down." He said, "A Company's not pinned down." About the time he said that, the gun opened up on him. The water was about that deep (indicating halfway up his leg), and everybody hit the water, and he was first, you know. Before we could get them out, I had one guy get a bullet in the helmet, and it must have circled some way. It

hit him across the forehead. It was a freak accident. He was bleeding real bad. I told the company commander that I had wounded people that were still in there. The tracks opened up with .50 calibre machineguns, and they were still in there. I ran up, and out of fear and anger and what have you, I told them we still had people in there, and he got the firing stopped. Finally everybody got out. But, that's the day I remember.

Q. Okay. Now, then really, you don't recall vividly being in this position?

A. I can't. It's been a long time. When I got out, I just wanted to take my little Vietnam map and throw it away. I mean, I'm serious. I hope I can be some help to somebody, but I can't remember dates and all.

Q. All right, that's okay. Do you remember the next day, on the 17th when you moved across here? You and the 3d Platoon went into this laager position that night, and at 2115 your first grenade landed on that machinegun position, and you took two men dead and five men wounded.

A. Right. No.

Q. This is the grenade attack, now.

A. Two men dead and five wounded?

Q. Five wounded, yes.

A. I remember that night.

Q. Can you explain the circumstances of that?

A. I can. Well, we got into this position before dark. We had an evening meal, and we were looking forward to it. The company was set up around the pagoda. There was nothing but rice fields and the pagoda had trees. It was like a circle, and it had a little finger on it. I want you to look at this picture.

Q. Yes.



(The witness sketched a map of his position which was not received in evidence.)

A. My sector was right here. Lieutenant JONES, my platoon leader, said to put a gun right here covering this finger. There was a trail that ran something like this across here (indicating across the front of the position). So we had chow, and I had everybody in position all the way around my sector. I had a gun out here (indicating in front). I had one squad out there, seven men. I told my platoon leader before it got dark, I said, "Sir, this is not the way I have been taught to set up a perimeter." And I'll never forget it. He said, "Well, I told the old man about it," and he hadn't. I know he hadn't. And he said, "That's where he wants them." I said, "Well, Charlie can come from three directions, front and both flanks." "Well, that's where he wants it." I said, "Okay." And that night they grenaded them, and I never forget it if I get to be a hundred years old. GRENHAM and SEVIER, his name was SEVIER. SEVIER was a little guy. He was a young guy. I don't know if he was drafted or what, you could tell him to do anything, you know, and he...Excuse me.

(The witness commenced to cry.)

Q. That's all right.

A. This is why I got out of the Army. I made E-7 in Vietnam. In Chu Lai, the Americal Division promotion board. DA kicked it back because I didn't have seven years of duty. Well, I didn't want to make it. I didn't make it because I'm anything special. But I made it, and I wanted to go before the board, and I guess my first sergeant wanted me to go because it would be a day out of the field, you know. When I got to Fort Lewis I was under 90 days. I could either reenlist or take a discharge. Well, I took a discharge. I love the Army; I can't help it. I loved six years of it, and I liked it. But I didn't like Vietnam and I said I wouldn't go back. If I would have stayed in, I figured I might.

Q. Some of your company mates are already back.

A. Sir?

Q. Some of your company mates are already back.

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A. Already back?

Q. Back in Vietnam.

A. Who's back there?

Q. TUMACDER.

A. TUMACDER?

Q. Yes.

A. Well, that's three tours for him!

Q. Yes.

A. Three different tours for him over there.

Q. That's right.

A. He made E-7. He went before the board before I did. He'd been in for 20 years or so, a real fine guy. He was a Hawaiian. He's real short; he's a soldier though. If there ever has been a soldier in the Army, he's one of them.

Q. Well, let's go back and discuss what happened after this grenade thing. You had five wounded men on your hands.

A. I sure did. They called a dustoff and they got there, you know, as usual, as quick as possible. And we got the wounded out. There was nobody critical, except--I can't recall his name. He got some head wounds later on, I heard he had died.

Q. MCGUIRE?

A. MCGUIRE.

Q. He didn't die.

A. He didn't die? I heard he did. But we got them out, and I guess it was thought critical so we let the bodies lay there all night. They laid there all night. The next morning they were laying--we had put the bodies by a well--

didn't put them by it, but they moved the bodies by the well at the pagoda and they were wrapped in a poncho.

Q. Sergeant BRACY came out?

A. Yeah, he did.

Q. And Lieutenant LUNDEEN?

A. Yeah, they did.

Q. And evacuated the bodies. But before they did this, another chopper flew in. Do you remember that?

A. Well, yeah, I do. It was either the brigade commander or--

Q. (Interposing) Was it the brigade commander and Colonel BARKER? Colonel HENDERSON and Colonel BARKER, do you recall? If you could recall, I'd like to know.

A. I believe so. I think it was now, but I'm not saying--

Q. (Interposing) Was it one or the other?

A. God! I can't be precise about it. It seems like maybe both of them. I don't know. I can't--

Q. (Interposing) Do you even remember specifically that somebody did come in?

A. Somebody did. Yes, sir. Yessiree.

Q. Okay.

A. I remember his chopper landing, sir, but, you know, you don't expect to remember.

Q. No, that's all right. No problem. The fact that you remember somebody coming in is--

A. (Interposing) But either both of them or one of them--either Colonel BARKER or Colonel HENDERSON came.

Q. Would there be another lieutenant colonel there? LUPER, the artillery battalion commander?

A. I couldn't say that.

Q. Okay, no problem. So shortly after this, the company got on the road and you go over to the west, and you go across the river up past that little village when Captain SHELDON had command--this is with Captain RIGGS commanding now. Incidentally, that colonel took Captain RIGGS apart for bivouacking in the same area he'd received his supplies in.

A. That night?

Q. Yes.

A. Well, that was the biggest military mistake. It cost two men's lives. That's the biggest mistake I've seen since I've been in the Army. Right there. And I told the man--I said, "I've got to pull that gun back." There are two people dead right today.

Q. Captain RIGGS got taken over the coals by the brigade commander.

A. Well, it wasn't his fault.

Q. And he took Lieutenant JONES over the coals. The thing is that the battalion commander or the brigade commander told Captain RIGGS he should have checked that position. They recognized that it was poor.

A. Well, they should have listened to me. I was just a staff sergeant. I wasn't--

Q. (Interposing) Did you talk to Captain RIGGS on this?

A. I told my platoon leader, and he said, "I've already consulted the company commander," and he says, "That's where he wants it." I said, "Well, that is not the position for that machinegun."

Q. That's not the way you said it, because I know the way platoon sergeants talk, too, under those circumstances.

A. Well, that's not the way I said it.

Q. The next morning after the administrative stuff took place there at the pagoda, the company got on the road, and you moved west; you went across the river through the little village that you had destroyed about 2 weeks before, and up on the hill where you went into position again for the night. You rejoined the 2d Platoon up there.

A. Let me think.

(COL ARMSTRONG steps to MAP-1)

Q. Well, it's not this day of the 18th that I'm concerned with. It's not being up here that I'm concerned about (indicating northwestern Pinkville on MAP-1). It's this march over here that I want to know about (indicating eastward toward the coast) on the 19th.

A. We did what now?

Q. You went on to the pagoda here and across here (indicating north edge of Pinkville). There's a bridge across here somewhere, across this river. Maybe it's here that you crossed the river, I don't know, but there is a bridge across here somewhere. You crossed and went through this little village, went up on this hill. This is the same day that you evacuated the bodies of your buddies out of here, and the same day as the brigade commander or the battalion commander came and visited the company commander. You spent that night here on this hill. The 2d Platoon had spent the night before here, too (indicating a hill northwest of Pinkville).

A. I believe I can say I remember it. The 2d Platoon were up there and it's a real steep hill like that one (indicating hill to which COL ARMSTRONG is pointing).

Q. That's right.

A. That's it, yes, I do remember that. We joined--

Q. (Interposing) You spent the night up there. Now the next morning you took off, and I think you went about like this (indicating northeast up to the coast) over to the

beach. That's the beach where you protected the woodcutters. You made this march in one day. It's not a long march. Can you tell me the formation that the company used to go across there, what platoon was leading?

A. Let me think. I don't know what platoon was leading.

Q. Probably when you got about here you split. One platoon was sent this way, and one platoon was sent this way. So you hit the beach with two platoons abreast and probably the company command group and the other platoon followed either this platoon or this platoon. Then you went into a position along here (indicating the coastline).

A. Yes, sir, if it's the time I'm thinking about now. The company set up a CP on a little knoll. I don't know where it was, but we set up a CP, and we had security, and we let the people go swimming.

Q. That night you set up an ambush, and that's when you gathered in the six women with fish, but you found out that they were legitimate citizens of the Republic of Vietnam.

A. No, the night that we set up that ambush, that was from my platoon. We weren't on that knoll. We were in the woodline. My platoon had a dog that followed us around, and the dog was with us at the ambush. Over there when you set up an ambush, nobody's supposed to be out, and there are people that die because they are in ambush and, let's face it, that's what the GI's are supposed to do.

Q. That's right. They had curfews.

A. Well, we heard them open up, and I called them on the radio and Sergeant ORNDORFF, one of my squad leaders was talking to me, and he said that they had missed them and that they had captured them and it was women--two women, or three with big baskets of fish.

Q. Okay. You just don't remember that march going across from the hill to the beach?

A. If I can think about it, I might, sir, but I can't.

Q. Okay. Let me try to refresh your memory on something else.

A. I had 365 days and I can't remember.

Q. All right, let's just think about something else. How often did you have choppers fly cover for you when you were moving cross country like that? Very often?

A. Fly cover?

Q. Yes.

A. No, I wouldn't say very often.

Q. They were Primo choppers out of the aviation section.

A. Primo, yes. Well, we had good support, good chopper support. But on the move and all, we didn't always have choppers flying in support. Sometimes we did and sometimes we didn't.

Q. Do you remember any time that you did?

A. Oh, I can remember a lot. I can remember when Colonel--he was my last battalion commander. You know him probably. Well, I can remember off of fire base Dragon--

Q. (Interposing) No, I mean up here, when you were here.

A. Oh, this part here.

Q. For instance, I remember being told about one instance where a chopper cornered a guy, a VC, and Captain TRINKLE and his radio operator picked the man up out of a hole and he had a carbine.

A. I remember something about that, but I can't remember--

Q. (Interposing) And the chopper pilot said, "I want that weapon. It belongs to us." And Captain TRINKLE said,

"You're absolutely right, it belongs to you."

A. I remember that. I remember those words, but I can't tell you what day it was. But I remember it. Captain TRINKLE gave it up. He gave them the weapon. I remember that.

Q. In fact, he sent it to him. There was another time--but that was when Captain TRINKLE was in command--that was one time that the choppers worked with you.

A. We had good chopper support.

Q. Another time, when Captain SHELTON was in command, you were operating--in fact, it was the same day that you went into that village, and destroyed the village, and evacuated all the rice. The choppers spotted what they thought were VC across the river, pinned one down, came over, picked up the captain and the radio operator again, and they went over and picked this guy up. Then they discovered he was a legitimate farmer. That was another time. Now let me ask you about this one. The company's moving along on a trail across rice-paddy country. There are two choppers out of PRIMO flying cover for you up in advance, scouting out the country side. The low one starts circling off to the left. There's some chatter on the radio, and the lead platoon has got to send some men out. Does that strike a bell? This chopper is orbiting out there real low to the ground for a considerable period of time.

A. When was this?

Q. I don't know.

A. Well, I've seen that--

Q. (Interposing) You've seen that lots?

A. Yeah.

Q. All right, let me get more explicit. Two men got out. Pretty soon they get under the place where the chopper is, and the two men start coming back and the chopper flies off. The radio comes on, the company commander's radio--on



the company command net. And this chopper pilot is mad as hell, "I've exposed me and my crew and my chopper for 20 minutes capturing that prisoner. When you guys get out there to pick him up, you shoot him. I want to know why!" Now this is a warrant officer chewing out a captain. Do you remember anything like that?

A. They shot him, you say?

(COL ARMSTRONG nodded in the affirmative.)

Q. Do you remember that kind of an incident where the pilot of a chopper chewed out the company commander because a prisoner had been shot? Conversation on the radio is company commander says, "Wait one." Calls the platoon. Says, "What happened out there?" The platoon leader says, "Don't know; I'll check." The only thing is that the platoon leader held down the transmitter key on the radio, and turns apparently to the rifleman and says, "What happened out there?" And the rifleman say, "Ah, ah, ah, ah, ah, ah, ah, ah, ah, ah." And the platoon leader's voice comes back over the air, "You mean you found a VC who had a grenade in his pocket?" And the rifleman's words come back, "Yeah, that's right. He had a grenade in his pocket. He was a VC."

Now the chopper's radio was on the command net, and this was the company command net, and the lieutenant's conversation with the rifleman was on the air because the transmitter key was down. He called back to the company commander and said, "The guy was a VC and they shot him. He had a grenade in his pocket." And that's when the chopper pilot said something to the effect that it would be a cold day in hell before he ever cornered another guy and exposed himself for you people, and turned around and pulled off. Did you ever hear of anything like that?

A. No. Well, you know, this is--I'm not prepared for this. Tomorrow I might--recall things every day. You know what I mean. I don't have them all up here now (indicating his head). I think a lot, but I don't remember nothing like that.

Q. Do you think that it could have happened in your company?

A. I'll say--

Q. (Interposing) Here's what happened. There were three VC spotted by this chopper. He chased two of them in this spiderhole or cave and the third one laid down along side the dike of a rice paddy.

A. What platoon was it?

Q. I don't know. I don't even know if it was your company.

A. I never--I'm tell you, I don't--

Q. (Interposing) But this is what happened. When the two men approached, the chopper pilot could see him turn his head and look up at him and one of them bayoneted him and then shot him in the head.

A. Well, if something like that happened, I wouldn't forget it.

Q. Let me ask you this.

A. I'm saying I don't know.

Q. How often did your company fix bayonets?

A. We never fixed bayonets. We never had a reason to fix bayonets, because we never had close combat. Fix bayonets is, well, that's your last resort. If we hit a village and had hostile action, why, we'd shoot them, you know, if they were shooting at us. But there's no reason in Vietnam to fix bayonets unless, well, we never ran out of ammo. I'll put it this way. I've never seen it. I've never heard of anybody fixing bayonets in Vietnam.

Q. Okay. But I'm sure if you would have ever heard of this, it would have stuck in your mind.

A. Yes, sir. It would have. And just like the helicopter incident, if I'd heard that, I wouldn't have forgotten it. I remember the day that Captain TRINKLE got shot, and the day Captain SHELTON got shot.

Q. And you remember the fact that Captain TRINKLE went and picked up a VC that had a weapon and had the conversation about turning it over to the chopper pilot?

A. I don't distinctly remember everything, but I do remember that the helicopter pilot got the weapon, and Captain TRINKLE, if I'm not mistaken sent it in by jeep or something. He made sure the man got the weapon, because he said, "He deserves it, so he gets it."

Q. Now do you remember EIKENBERRY?

A. Uh-huh.

Q. What do you think of EIKENBERRY?

A. EIKENBERRY was one of the worst mistakes the Army ever made.

Q. Why was that?

A. Well, I mean, you want me to be under oath on my opinion of anybody.

Q. Yes.

A. He was a good clean cut young man. To me he was what I call maybe a little hippy. He seemed he didn't want to go out in the field, and they finally gave him a soft job in the company.

Q. You got the right man?

A. EIKENBERRY, yes, sir. I've got the right guy.

Q. Tunnel rat?

A. Oh, he wasn't in the field long. He played tunnel rat what I thought was to build up a reputation, you know, and be big, then they gave him a soft job in the company. I don't know if he had a job, but he stayed back at fire base in Duc Pho, Bronco, for 6 or 7 months. He kicked a lot over there about, I don't know, anything he could raise trouble about.

I don't want to cause the guy any trouble. He wasn't any good to me as a soldier. I was a soldier then. I was a platoon sergeant, and I'm saying as a soldier, he wasn't a man.

Q. He was in the 3d Platoon?

A. He wasn't in my platoon, but I knew him well. He'd go to the field, and he'd wear pegged pants, you know, and he'd wear pistols and it was a game to him. It's no game to a soldier over there.

Q. Did Lieutenant JONES stay in the company or did he--

A. (Interposing) He went home and he got discharged.

Q. Did he infuse out, or--

A. (Interposing) No, sir. I don't think he did. I think he got discharged. He did not infuse, I don't think.

Q. Lieutenant WHITE infused?

A. Right, right. I got a Lieutenant THOMPSON. Have you got him on the records? Do you know of him?

Q. This was afterwards.

A. He was the last one--no, he's not the last one I had either. He didn't last too long. I mean, he didn't get shot or anything.

Q. Did Lieutenant LUNDEEN ever command a platoon?

A. Yes, sir. He had 3d Platoon in A Company for a while before he got infused. I think it was the 3d Platoon.

Q. He was an exec, too?

A. Yes, sir. He was the exec and weapons platoon leader.

Q. What about Lieutenant COKER?

A. Lieutenant COKER got pulled out. What do you call it?

Q. To the 196th?

A. He was attached to the ARVN's in Duc Pho.

Q. That's right. He went to MACV.

A. Yeah, MACV.

Q. Okay. Let's discuss some of your prior training. You were with the company for a year before it deployed?

A. Yes, 13 months.

Q. At Schofield. Colonel BRANDT is the one that is interested in this.

LTC BRANDT: I have one question in regard to the operation. Sometime during the 15th, a briefing of the operation must have been made or given to the platoon leaders. Possibly it included more people than just the platoon leaders. The company commander must have gotten them together. Do you recall any briefing that you received prior to going into those blocking positions north of the river? Do you recall any specifics as far as what type of an operation this was described to be? Who would do what as far as the actions of either C Company, or B Company, or A Company? Do you have any recollection of receiving a briefing?

A. Well, you're asking about the blocking positions. That's the one that I'm not familiar with, sir. I'll say that I had a good company commander, and I know that we got it. I know that we did, but I couldn't recall it. I couldn't tell you that simply because I don't remember.

Q. Now, let's go back to Hawaii since you were with the brigade since November 1966. I think probably you have more information or at least a general impression of the training of the brigade, more so than most people. Joining in 1966, of course, you were there during the early training, through the middle part of the year. They had in the first half of

the year, the use of the Jungle Warfare Training Center in Hawaii. Do you recall what type of training was conducted during that period of time? Could you explain to me just about what you did out there in the Jungle Warfare Training Center?

A. Well, they had the jungle plants you could eat, you know, and animals, and what have you. And we had a river crossing course. And we had training on the M-16 rifle, you know, it was a repeat, but it was good. And, I felt like after we had completed that we were well trained.

Q. Well, I understand that you used that facility during about April 1967 for about a weeks' time per company as far as that facility. I'm talking about the Jungle Warfare Training Center facility now. But each company had it for approximatley a week, and you visited various stations.

A. Yes, sir. If I'm not mistaken, that's the way it was.

Q. Now, sometime during the middle of the year, of course, after coming from that Jungle Warfare Training Center, you were alerted for movement to Vietnam.

A. Yes.

Q. This was in July. Now, just about that time in July, there was also preparation required for an amphibious exercise.

A. Yes.

Q. Did you partake in the training for that?

A. Yes.

Q. How much effort was expended as far as this training was concerned?

A. You're speaking of Molokai?

Q. Yes, the island of Molokai.

A. We left by boat.

Q. Right.

A. Well, it was on board the ship we conducted training just like it would be going to Vietnam. You know, everything had its place on board, and your weapons in good state. When we landed, we had an operation. It was a long one--

Q. (Interposing) 10 days, is that correct?

A. Yes, sir. It was. It was quite a few days, I know.

Q. Now, before you ever got on board the ship, there was a preparation period?

A. Yes, sir.

Q. How long did you contemplate on the training as far as this amphibious operation was concerned prior to its being conducted? It went from 1 through 10 August, the actual operation. Did you apply much effort during the month of July?

A. Well, we had classes weeks before the operation, amphibious training of different sorts, and good training. I'd say it went 2 or 3 weeks prior, or maybe a month. We were well prepared, I think.

Q. Well, you say you concentrated very heavily in preparation for this exercise that the majority of your training during the month of July was preparation for this exercise?

A. Yes, sir. I would say so. I don't remember the month of July. I'm not saying it was.

Q. Well, August 1 through 10 was the exercise, so I'm talking about the previous few weeks.

A. Well, yes, sir. I would say that we did have quite a bit of training on this.

Q. And during that period of time would you say that the main emphasis was on the amphibious operation, but you did

do some other training as far as the Vietnam environment was concerned?

A. Yes, sir.

Q. Would you elaborate on this now?

A. Well, all the time we'd have classes on the operation, and we'd have classes on Vietnam usually given by veterans of Vietnam, people who knew what they were talking about. When I first got over there, we knew we were going to Vietnam as a brigade, but it wasn't official, you know. You've been in the service a long time, and you can tell what's coming off. And older people than me say, "Well, we're going," and so I believed it too. But, we had training on Vietnam and the operation. I would say that the 11th Brigade in Hawaii had one of the best training programs that I have ever experienced while I was in the Army. It was a serious brigade and a proud brigade, and it is today, I know. But in Hawaii, command reveille was something else. To us it meant a lot, because we were the 11th Brigade, and everybody felt that way.

Q. Now did you experience right after this exercise much personnel turbulence in your platoon, for example? Did you lose a lot of men? Were there a lot of men that were non-deployable at this time that were identified? Did you receive filler personnel sort of late in the ballgame?

A. Well, I lost some, and I received some, but I can't recall who or how many. I mean, it wasn't many, but some people weren't eligible to go.

COL ARMSTRONG: Was it serious as far as the competency of the platoon was concerned?

A. You mean losing--

Q. (Interposing) Yes, the men that you lost? Did this really hurt the platoon to any really great degree?

A. Well, my platoon, no. If I'm not mistaken, I had 38 people when I got on that boat and when I landed in Vietnam.



LTC BRANDT: That's when you landed, but in order to get those 38, let's say in the month of August, did you have very many replacements coming in, people moving out that were nondeployable?

A. Well, I wouldn't say I had very many, but I had some, but not enough to really make a difference.

Q. I understand you got M-16's during that area of time. When did you receive those, how long before deployment would you say? Was it a short time or did you have them when you started training in August, the really concerted effort on training?

A. We didn't have them over a couple of months, you know, the best I can recall. But we had adequate training on them. We had some real good training on them. I gave classes on it myself after I got acquainted with the weapon.

Q. Did you go to the range and get some qualification just prior to going on board that ship?

A. Yes, sir, we did.

Q. How about some of the mandatory training that you have experienced in the past, such things as the Code of Conduct, Geneva Convention, things like this?

A. Yes, sir. We had all of that.

Q. Who is that done by? Was that put on by the company officers? Were they responsible for instruction? Did you do this at a platoon level?

A. No, sir. It was company level.

Q. Company level?

A. Yes, sir. Either by a platoon leader.

COL ARMSTRONG: Did the S5 come in?

A. Yes, sir. I can remember. The S5 is--

Q. (Interposing) Captain KESHEL. He's the civil affairs officer.

A. Well, I can remember that brigade inspected our classes, you know.

Q. I'm thinking in terms of giving some of this instruction.

A. No. I'd rather say, I don't recall; I don't know.

LTC BRANDT: Would you happen to recall if any classes were given on something such as rules of engagement for Vietnam now, specifically geared for Vietnam? The rules of engagement, when you could place artillery fire, as an example, in certain areas?

A. Yes, sir. When we first got in Vietnam, it was "you don't fire at anybody unless they fire at you." Well, after a while, when we got our rear end kicked a few times, they kind of went lenient on that. Artillery, we've had classes on artillery. We were up to date on it.

Q. When did you get these classes, right after you arrived in Vietnam?

A. No, sir. We had classes in Hawaii.

Q. In Hawaii?

A. Yes, sir, a lot of them, too, on artillery. They elaborated on the adjustment of artillery fire, in calling artillery fire, because it's simple, but it's complicated. And the lowest ranking man in the company in a classroom with a map was made to adjust some fire, call some fire, by coordinates. And I thought that was good training. But we did have a good training program, like I say.

Q. Now, when you got in country, I understand that you had some additional training. In other words, you had deployed earlier than it was initially planned, and immediately upon arrival, you did have some training in country.

A. Right, we did.

Q. I guess it was sponsored by the 3d Brigade, 4th Division. Now, what do you recall about this training program? What did they cover on that?

A. Well, our first fire base was Carantan. We had helicopter training from combat assaults to gunships and what have you. We had a whole day of that, maybe more, you know. We had a lot of training over there. We had more artillery adjustment training, calling in artillery, and quite a few other things. And on the M-16 rifle, we had more training on that. Well, they were just trying to get us ready.

Q. Would you say basically their training was geared to actual operations. The M-16, of course, care and cleaning because this was quite a problem at that particular time.

A. Right.

Q. But, it was concentrated on operational aspects, is that correct?

A. Yes, sir.

Q. Do you recall any instruction during that period of time that you might have received in regard to procedures for handling prisoners of war?

A. Yes, sir. Now, I can't be specific about it, but we had that in Hawaii. We might have had it when we got over there, but that was emphasized.

Q. Now, in Hawaii you had it, and it covered some five S's or something like this?

A. Yes, sir.

Q. I want to have you think on this now. Do you recall any of your people going to any training on the same subject once they were in country?

A. It's very possible.

Q. During this orientation period, for example?

A. Possibly, yes, sir, because we had a lot of training in a short--

Q. (Interposing) Did you go every place that your platoon went?

A. Yes, sir.

Q. So in other words, it would be something that you would have experienced?

A. Right.

Q. You can't definitely say that's what you had in country but it could be possible.

A. Well, I could say that we had a lot of training on various subjects and that could very well be one of them.

Q. How about either back in Hawaii or in country, did anyone come down ever and talk to you about what constituted a lawful order as far as the Army was concerned? In other words, what a lawful order entailed? Did anyone explain that, as an example, if an officer would come up to one of your men and say, "Shoot that individual over there!" And the individual would be standing unarmed and had been captured, that that would not constitute a lawful order. Do you recall any instruction like that? Now, this I want you to think very carefully on, because it's a question that normally would be asked in many places.

A. Well--

Q. (Interposing) Do you ever recall anybody explaining this to you in your 6 years?

A. Yes, sir. I definitely do. I mean, I couldn't say who, but I've had classes on that. But in Hawaii, I couldn't recall. I couldn't say that they did or they didn't, but I don't remember.

Q. How about any class on reporting a war crime?

A. No, sir. I never had a class on that, not that I can recall.

Q. You have never in your military service?

A. Oh, well, maybe in my entire military service.

Q. Okay. Let's sort of condense it down to the time that you were with the 11th Brigade in Hawaii or during the orientation in country?

A. Now, what's your question again?

Q. Reporting an atrocity, in other words, a war crime.

A. Now, I could have very well had a class on it over there.

Q. But it doesn't stand out in your mind?

A. It doesn't stand out in my mind, no.

COL ARMSTRONG: Well, we want to thank you very much for coming in. As you say you're liable to remember something. I'd ask you to get in touch with us. We'll still be here in session for another 3 weeks, or 4 weeks, or so. And if it does, something that you may think is significant, if it's something that we've talked to you about, Major COOP will let you know how to get in touch with us. We'd appreciate a telephone call. If you've got any pictures or this sort of thing about this operation that you can identify as part of this operation, I sure would appreciate it. We'd get them right back to you after we copy them.

A. I didn't take any camera with me over there. Just ammunition and C-rations.

Q. We'd like to remind you again that we request you not to talk to anyone else. We appreciate everything that you've done. You've been more of a help than you really realize.

A. Well, I don't want to hurt anybody, but if I could ever help anybody, I'm willing. But I didn't see any unjust over there.

Q. I say again, I appreciate your coming in.

A. Yes, sir, you're welcome.

Q. The hearing will recess.

(The hearing recessed at 1405 hours, 19 February  
1970.)

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SUMMARY OF TESTIMONY

WITNESS: LUNDEEN, Randall R. CPT

DATE OF TESTIMONY: 16 February 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: Platoon Leader,  
Weapons Platoon and Executive Officer, A/3/1.

1. THE COMBAT ASSAULT.

LUNDEEN was either at LZ Dottie or Chu Lai on the 16th (pg. 7). He did not recall hearing about Task Force Barker's success on the 16 March operation either on the 16th or at LZ Dottie on the 17th (pgs. 7, 8). On the 17th he was at LZ Dottie where he learned that two men of A Company had been killed in a sapper attack (pgs. 7, 9). On the morning of the 18th LUNDEEN and the first sergeant flew to the area to evacuate the bodies (pg. 9). He did not remember Lieutenant Colonel BARKER, Colonel HENDERSON, and Lieutenant Colonel LUPER being there when he arrived (pg. 10). The witness did not have an opportunity to speak with Captain RIGGS at this time (pg. 11). LUNDEEN flew out to the company's position on the beach on the 19th and was accompanied by Major CALHOUN (pg. 15). RIGGS was worried about something which he discussed with CALHOUN, but LUNDEEN did not know what it was (pg. 15). He did not hear anything about RIGGS being chewed out by a helicopter pilot (pg. 16). He did not know of a VC being cornered by a helicopter and killed by a member of A Company, thus, causing an argument between RIGGS and a helicopter pilot (pgs. 9, 20). He did not think such a thing could have occurred in A Company (pg. 20).

(LUNDEEN)

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2. OTHER INFORMATION.

a. Reaction to the incident.

LUNDEEN has not discussed the 16 March operation with anyone since it became a matter of public knowledge (pg. 4). He was shocked to hear about the accusations resulting from this operation (pgs. 5, 6). He did not believe such an incident could have happened in A Company (pg. 6).

b. Capture of a VC with a carbine.

LUNDEEN recalled an incident where some sniper rounds were fired at helicopters and Captain TRINKLE, who was then company commander, pulled a VC with a carbine out of a well (pg. 17). The helicopter pilot wanted the weapon (pg. 17). While there was some discussion between TRINKLE and the helicopter pilot about this, there was no argument (pg. 18).



(The hearing reconvened at 1045 hours, 16 February 1970.)

COL ARMSTRONG: The hearing will come to order.

RCDR: The following persons are present: COL ARMSTRONG, and MAJ COOP.

Sir, the next witness is Captain Randall R. LUNDEEN.

(CPT LUNDEEN was called as a witness, was sworn, and testified as follows:)

RCDR: Will you state your full name, grade, Social Security number, branch of service, organization and station?

A. Captain Randall R. LUNDEEN, , U.S. Army, current station is United States Army Student Detachment, Fort Sheridan, Illinois.

COL ARMSTRONG: Captain LUNDEEN, I'm Colonel ARMSTRONG and am designated by the Office of the Chief of Staff to assist General PEERS in making this inquiry. You should know that there are other groups such as this taking testimony from witnesses. In fact, there are civilian attorneys that are participating in this. General PEERS, however, is the only one responsible for digesting all the testimony and the information, writing up the report, coming up with the conclusion and recommendations.

I would like to remind you that you're not to discuss this testimony that goes on in this room with anyone and particularly anyone who might appear as a witness. However, there are other official bodies making investigation. There are CID people and there are judicial people. Administrative bodies like this may very well make investigations that you may be called before in the future. We don't anticipate that you would be, but it's possible. There's the investigating subcommittee of the House Armed Services Committee that's also doing this. Your appearing before us will not in any way change anything that they might ask you and you are perfectly free to go ahead and discuss it with them.

I would also like to conduct this investigation by asking you a few questions first for the record and then going off the record and in a very informal manner briefing

you as to the operation in the time frame in which it took place. I want to try to refresh your memory, to try to get you back there where you understand, to get your mind thinking in this direction, because this is a change and exchange of information. You'll find that the technique that I use is to try to jar your memory, recognizing it's been 2 years since you were there. The technique that we use is to feed you a little bit of information at a time. We talked to over 350 people and we can just about trace everything that every man did in each one of the three companies. You may not even realize the pertinence of the information that you do have, so really it's an attempt to focus your attention and your recollection back to those particular days and try to get the details out of you. Would you explain, please, how long you were with the 11th Brigade and the dates and service that you were with them?

A. I joined the 11th Brigade in Hawaii. I believe the date was 4 August 1966, and I went to Vietnam with the 11th Brigade, and I was infused into the 196th Brigade. I'm a little fuzzy on the dates exactly when it was. It was somewhere around March.

Q. In 1968?

A. Yes, sir.

Q. What were your duty assignments in the 11th Brigade?

A. Well, I was platoon leader, weapons platoon, and also executive officer most of the time.

Q. Of what?

A. Of A/3/1 Infantry.

Q. I'd like to focus your attention right in the period of February and March, while Company A was with Task Force Barker.

A. Yes, sir.

Q. Spell out by date, as close as possible by date, when you were platoon leader, when you were weapons platoon leader, when you were an executive officer, because I know that you were all three in this period of time.

A. Yes, sir. I was. I functioned basically as the executive officer when it came to pay or anything of this nature. Then at infrequent intervals I'd take over a rifle platoon and go to the field with them. Sir, I can't remember by date just what days.

Q. I understand you even took over the company for a few days.

A. A couple of times, yes, sir.

Q. Can you recall that?

A. Yes, sir. One time I took it over was when Captain TRINKLE was wounded.

Q. 23 February.

A. Yes, sir. I had it for 2 or 3 days and they sent a replacement. Then later on, in fact, about a week later he was shot. And then I took it over again.

Q. For another what? 2 or 3 days?

A. Yes, sir.

Q. Then Captain RIGGS came in?

A. Captain RIGGS came in and took it over, and shortly after that I was infused into the 196th.

Q. How long was that?

A. Possibly 2 to 3 weeks.

Q. Were you still with the company when the company went back to Duc Pho?

A. No, sir. I was not.

Q. Do you have any idea what the date was that they went back to Duc Pho?

A. Not really, sir. I'd say sometime around 1 April. I really kind of lost track of them once I got with the 196th.

Q. Was Lieutenant WHITE with the company when you departed?

A. No, sir. Lieutenant WHITE and I were infused the same date, because as I remember, we both took the same jeep to Chu Lai, and I went to the 196th and he went to the 198th.

Q. You left about the 21st?

A. In the morning the same day I did. Yes, sir.

Q. When this operation took place on the 16th, actually the company started getting involved in it on the 15th. That somewhat ring a bell? Because you were with the company at that time?

A. Yes, sir. I don't remember in what capacity. 15 March, I believe Captain RIGGS had the company then. Then I was acting as executive officer, and I know we were on LZ Uptight, and that's when Captain RIGGS came and took the company back from me. Then they were operating in that area between Dottie and Uptight during this period of time, from then until the time I left.

Q. Okay, now let's shift the time frame with your thinking into this past fall in September-October.

A. Yes, sir.

Q. When the news media broke the story of the My Lai incident, since that time have you talked to anyone of the old unit or old associates or any of the Americal Division people about this?

A. I can't recall talking to anyone about it. No, sir. I have been at Fifth Army headquarters since September, and I know of no one from the Americal Division that's going to school there.

Q. What was your reaction to this?

A. Well, it took me a long time to realize that this was actually the area that I had been in, and in fact, it had been out for quite some time until I suddenly realized, when they started talking about Pinkville that I had actually been in this area. Of course, when Captain MEDINA's name came up I knew him and I was shocked. I remembered the area quite well. I remembered being there quite well, and I guess shocked is probably the best word.

Q. Were you out on either one of the operations that Captain TRINKLE or Captain SHELTON got wounded on?

A. I was on the one with Captain TRINKLE. Yes, sir.

Q. So you know the area well?

A. Yes, sir.

Q. There were three operations by Task Force Barker into the Pinkville area, one about 3 February, one about 23 February, and one about 16 March?

A. Yes, sir.

Q. And you were out on the 23d one?

A. Yes.

Q. Were you out on the 3 February operation?

A. No, sir. At that time I was executive officer.

Q. Why were you shocked when this hit the news?

A. Well, of course, the way the news media covered it, telling about a massacre and with the pictures, I'd never seen anything like that. As far as women and children are concerned, regardless about what anybody wants to say about them, I can see no sense in shooting them. Maybe in some

instances these kids have pulled some things on these GI's that shouldn't be. But they're still children, and I suppose I could probably convince my child to do something like that, too, if I convinced him that somebody was out to get me. But they're still children and they're still women, to me anyway.

Q. You probably have personal opinions about this, but did it surprise you at all that this kind of an operation went on? You were there; you know the men; you know the frame of mind the men were in; you were in Task Force Barker.

A. Yes, sir. It still shocked me. Now, if it had been any number of NVA or VC killed, then it wouldn't have shocked me in the least, but not women and children.

Q. Or noncombatants?

A. Or noncombatants.

Q. In other words, you don't think this was possible, that this could have happened in A Company?

A. No, sir. I don't believe so.

(COL ARMSTRONG then briefs CPT LUNDEEN on MAP M-5.)

Q. Captain LUNDEEN, I've briefed you on the basic operations of Task Force Barker, the companies in Task Force Barker during the period of 15 through 17 March. Would you explain what you remember in this time frame, what you personally know, what you remember, and where you were located during the operations?

A. Yes, sir. For part of it I was back at the base camp at Chu Lai, I was in supply. However, I went back and forth between Chu Lai and Dottie, and on the night that you described, as the company receiving a sapper attack--

Q. (Interposing) That was the 17th.

A. Yes, sir. I was on LZ Dottie, and the word came in that we had had some men wounded, and I went up to the TOC. While listening to the radio transmissions--and at first they thought that it was some mortars and later on decided that it had been a sapper attack--they talked about moving, and I can't remember whether they moved positions or whether they stayed with them at the time it happened.

Q. Well, let's focus your mind back to the 16th, the day before this.

A. Yes, sir.

Q. Where do you recall being located? What was your physical location? Anything that you can remember about that day.

A. Sir, I can't recall. I was in one of the two places, either in Chu Lai or on Dottie.

Q. Now, this operation into the Pinkville area was highly successful on the 16th. Do you recall anywhere near the number of casualties or the casualties they inflicted on the enemy?

A. No, sir. I don't.

Q. Let me try to refresh your memory. This was the biggest success of the 11th Brigade up to that time.

A. No, sir. I'm sure I heard it. I don't recall what it was.

Q. It was 128 VC KIA, 3 weapons captured; does that jar your memory?

A. No, sir. It doesn't.

Q. Well, we know that you were back at Dottie on the 17th.

A. Yes, sir.

Q. You must have arrived there at the 17th at least, sometime during the day, if you were not there on the 16th?

A. Yes, sir.

Q. There must have been all kinds of talk going on in the TOC and the LZ about what this task force did. What the company did. How successful they had been. You have problems, because you had a man who had been killed the day before and two wounded. As the executive officer you had problems.

A. Yes, sir.

Q. Sergeant BRACY was back there.

A. Yes, sir.

Q. You remember anything about any comments he might have made?

A. No, sir. I sure don't.

Q. You had nothing that focused your attention on the fact that this was the greatest operation that Barker had gotten themselves involved in?

A. I'm sure I did, sir, at the time. However, I don't even remember talking about it. I don't remember discussing it.

Q. LZ Dottie should just have been buzzing with the great success of the previous day of Charlie Company.

A. It very possibly was.

Q. You don't recall anything that anybody talked about?

A. No, sir. I don't.

Q. How well do you know Captain MEDINA?



A. Not very well at all. I met him a couple of times, or at least had seen him a couple times at parties back in Hawaii. Then I had talked to him on LZ Dottie when his company came in, and of course, we kept a secondary CP where the first sergeant stayed, and I was there when I wasn't at Chu Lai. When I was acting XO and his company came in one day, the same day that my company had left a little bit earlier, and they stayed on Dottie, and I talked to him for a little while. We let him borrow our Australian showers, and that's really about the only contact I've had with him.

Q. Okay, let's go back to the 17th and that attack at night. You're sitting back at the CP at Dottie and in the TOC, and your company commander reports to your battalion that he has had two men killed and five men wounded, and they got a dustoff in there to get the five men out. Do you recall that?

A. No, sir. As I recall it, we didn't get the wounded out or the KIA's out until the next morning.

Q. You didn't get the KIA's out until the next morning.

A. That's correct.

Q. Can you tell me anything about the evacuation of the KIA's?

A. Yes, sir. The first sergeant and I went out the next morning, once Colonel BARKER got through with his Charlie-Charlie, and we took it in.

Q. Was Colonel BARKER with you?

A. No, sir. He wasn't. I can't recall for sure now. He may well have been and stayed behind when the first sergeant and I took the bodies on into Chu Lai, to the graves registration people.

Q. When you got out there, do you recall another chopper being out there?

A. It seemed like there might have been, but I can't say for sure.

Q. When you got down on the ground to get those two bodies out, was Colonel HENDERSON around by any chance? Do you recall this?

A. No, sir. I don't recall it.

Q. Don't recall Colonel BARKER and Colonel HENDERSON. Do you remember Colonel LUPER? Do you remember him?

A. No, sir.

Q. Well, he's an artillery lieutenant colonel. Could you have seen him out there, do you think?

A. Not that I recall, sir.

Q. Okay, what'd you do with the bodies?

A. Took them to Chu Lai to graves registration.

Q. And you had Colonel BARKER's C&C ship for this?

A. Yes, sir. As I recall, it was his C&C ship.

Q. Do you recall any of the plans the company had for that day?

A. No, sir. I don't.

Q. They tell you?

A. I don't believe I got in on them.

Q. Captain RIGGS didn't brief you as to what he planned to do for the day, where he's going to spend the night?

A. I don't believe I even had a chance to talk to Captain RIGGS. Now, I'm sure I knew where they were going to spend the night, because I had to get the resupply to them. Whether I got it from Captain RIGGS, I don't remember. I probably got it from Major CALHOUN or somebody in battalion.

Q. You mean to tell me that you were the company executive officer, and you went out there on the ground, and you don't get to see the company commander very often? He didn't tell you what the company was going to do?

A. I don't recall, sir.

Q. Did he normally tell you what the company was going to do?

A. Yes, sir.

Q. The first sergeant was there, and he could load up all the bodies and all of this sort of thing, see that that was taken care of.

A. Yes, sir.

Q. What would you do under those circumstances?

A. Normally I should have talked to Captain RIGGS, but I can't recall whether I talked to him or not that day.

Q. Would you recall if you didn't, if there was some particular reason why you didn't?

A. Probably, yes, sir.

Q. Such as if he was in conference with Colonel BARKER and Colonel HENDERSON?

A. Well, I'm sure I wouldn't if he had been.

Q. You'd have talked to WHITE, then?

A. Yes, sir.

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Q. But you'd have talked to one of the company officers?

A. Yes, sir.

Q. Do you remember who the other platoon leader may have been, the 2d Platoon leader?

A. Yes, sir. I know who the 2d Platoon leader is, but I can't recall his last name.

Q. Right at that time he was a new man. He'd been infused?

A. No, sir.

Q. Lieutenant WHITE couldn't remember his name, either. Where was Lieutenant COKER at this time, do you know?

A. This is who I was thinking of as the 2d Platoon leader.

Q. Was he wounded about the same time Captain TRINKLE was?

A. No, sir. I can't recall him being wounded. He was infused later, as I understand, to an ARVN unit.

Q. Later or earlier?

A. No, sir. Later, because he was there when I left.

Q. He was there when you left? What was he doing, operating with your platoon?

A. Yes, sir. I can't think of any reason why he wouldn't have been out there.

Q. He was not on the ground during the sapper attack?

A. Pardon me, sir?

Q. He was not there during the sapper attack, because the 2d Platoon was up over in another location? Apparently COKER was with that. What do you think?

A. Yes, sir.

Q. The only two officers with the company, with the other two platoons at company headquarters apparently, were Captain RIGGS and Lieutenant WHITE. Does that sound reasonable? Lieutenant WHITE commanding the 3d Platoon, and the 1st Platoon without a platoon leader?

A. No, sir. We got Lieutenant JONES. He came to us from the recon platoon when our 3d Platoon leader was wounded sometime previous to this, and of course, we lost him. And shortly thereafter we got Lieutenant JONES from the recon platoon. Now, he took over the 1st Platoon and--

Q. (Interposing) And WHITE took over the 3d?

A. Yes, sir.

Q. Okay, so you think JONES was out there, too?

A. Yes, sir. I'm sure he wasn't back there with us.

Q. You know what his first name was?

A. Yes, sir, Marshall.

Q. And he'd come from the recon platoon?

A. Of our battalion.

Q. Of your battalion?

A. Yes, sir.

Q. Of the 1st Infantry?

A. Yes, sir. This may be the reason why Lieutenant WHITE thought he was infused.

Q. Now, to refresh your memory again and try to get your mind back. You've taken the bodies up and you come back. You got to get the supply out. Did you always escort the supply out?

A. No, sir. I didn't. A good part of the time I did. It just depended. We were running so much supply from this one point in Chu Lai, and of course, the chopper pilot wanted to make as few trips as possible. Of course, we were only allotted so many sorties with each aircraft we got, so if I had one good chopper full, then I would not have escorted it, because most of the time the chopper pilots got quite indignant if you wanted to escort them. But a good part of the time I was able to get out there with the supplies, and then when they returned to extract it, I'd go back with them.

Q. You were actually being supplied out of Chu Lai and not out of Dottie?

A. Yes, sir. That's right. When they flew emergency ammunition or something like this, they would resupply them from Dottie with a C&C ship. Other than that, we supplied them from Chu Lai.

Q. You don't recall that night, then, the night that you took the bodies up to Chu Lai? You don't particularly recall, or do you particularly recall the reason why the company went up on the hill?

A. No, sir. I do not.

Q. The next day following this, the day of the 18th, the company moved to the hill and spent the night on the hill. On the 19th the company moved over to the beach area, right in here (indicating on MAP-5).

A. Yes, sir.

Q. Do you remember that, the guard, the protection, and I believe it was the 2d Platoon that night that gathered in about six Vietnamese women that were suspected of being Viet Cong, and all they were were local village ladies carrying fish? They let them go. Outside of the company having

a pretty good time and relaxing a little bit, there was nothing more memorable about the 19th.

A. Yes, sir.

Q. Unless you can remember something?

A. No, sir. The only reason that I remember they were on the beach, was I flew out there with, I believe it was Major CALHOUN, and my first sergeant said good-bye to a bunch of the people in the company. I believe this is where I last saw him.

Q. Well, WHITE indicates that he probably left the company from there, too.

A. I believe he went back with us. Yes, sir.

Q. Did you hear any particular conversations that Captain RIGGS had had that day with pilots? It may have been the day before.

A. Yes, sir. I seem to recall something, but I couldn't tell you what the subject was. He seemed to be concerned about something. He was talking to, I believe the person that I flew out with was Major CALHOUN. He was talking to someone, and they seemed to be concerned about something, but I didn't get into the conversation, and if I did, I don't remember what it was about. I couldn't tell you whether it was about a pilot or what it was.

Q. In other words, do you or don't you associate this with an aircraft pilot?

A. No, sir. I don't.

Q. In other words, CALHOUN and RIGGS got off to one side and had this serious discussion?

A. Yes, sir. But that could have been about anything, because they, of course, did that quite frequently.

Q. If a chopper pilot had chewed the company commander out, i.e., a warrant officer taking a captain apart over the radio, the company net, do you suppose you'd have heard about this?

A. Quite possibly, sir. However, we weren't able to monitor the radios.

Q. I don't mean that. Wouldn't there have been some discussion in the company?

A. Quite possibly, yes, sir. However, I don't remember anyone ever saying anything to me about it.

Q. At any time?

A. No, sir. Sir, it seems like I can remember something that they were talking about. I couldn't tell you who said it to me or what it was, but it's very vague. I really can't remember anything about it, except it seemed like there's something there that they were concerned about, and it seemed like somebody talked to me about it. About some aircraft pilot getting into it with Captain RIGGS. Now, what it was about, I couldn't say.

Q. Was it Captain RIGGS or perhaps Captain SHELTON?

A. I couldn't say, sir.

Q. You don't necessarily associate this with 19 March?

A. No, sir.

Q. Or the 18th? Well, if this conversation had taken place, everybody in the company couldn't very well help but know about it, at least anybody connected with communications.

A. Yes, sir.

Q. Because it came in over the company net.

A. Yes, sir.



Q. Do you recall on the operations you were on, how often you had air cover?

A. Had air cover, sir?

Q. Yes, primarily by choppers, H-23, a Primo?

A. The only one I can really remember is when we had quite a bit of air cover, and this was on 23 February. This is the time Captain TRINKLE was wounded, and we had quite a bit of air cover then. Of course, we called in an air strike.

Q. I'm not talking about that, I'm talking about moving across rice paddy areas and choppers more or less escorting you, a couple of choppers. They always flew in pairs. One of them flying low and one of them flying high, and they were scouting out the area in front.

A. Yes, sir. I can recall one in particular where we received a few rounds of sniper fire at the choppers, but actually spotted the VC or whatever it was, and he had jumped in a well. Of course, they pinpointed him for us, and we went up there, and Captain TRINKLE just pulled him out of the hole and took his rifle. This is about the only time I can recall.

Q. Did he have a carbine? You caught him in a well?

A. Yes, sir.

Q. You knew it was Captain TRINKLE on 23 February?

A. Yes, sir, I remember. I can't set a date on it. Well, I was out with him. I don't recall if I actually had command of a platoon or whether I was just out with him, which I did a few times. But I remember he just pulled him up by himself, pulled him up out of the well and took the rifle away from him. I can't remember whether it was a carbine or an M-1, but I know the chopper pilot wanted that weapon pretty bad, and I believe he got it. I don't remember whether they came in and got it then, or whether we got it to them later. But they wanted credit for the weapon.

Q. Was this where there might have been a controversy between a pilot and the company commander about the weapon?

A. There was some controversy, I remember that. Captain TRINKLE telling him, "Don't worry about landing now, we'll get it to you some other time. I'll get it to you later." I don't remember any argument or any bad feeling about. As I recall, the pilot agreed that this was all right. Captain TRINKLE was really not one to start a shouting contest over the radio. I doubt very much if they came in and picked up the weapon, but I remember they talked about it over the radio.

Q. That's the only time you can remember being escorted or scouted for by a Primo?

A. Yes, sir.

Q. In other words, this didn't happen very often?

A. Sir, we very seldom got a whole lot of cover. What we'd have liked to have sometimes was some more cover, but it usually went to the south to the rest of the brigade. And it seemed like if they had something left over, then we might get it. If they didn't, well, we were out of luck. Now, this may be just my opinion of the matter, but I know when it came to resupplying and everything else, we were usually hurting on aircraft. Of course, I think everybody was at that time, so I'm sure they did their best they could.

Q. At any time I'm talking, and it triggers something in your mind, don't hesitate to stop me.

A. Yes, sir.

Q. The company's moving along through rice paddy areas where you started approaching a village, and up above you is this air cover, a couple of choppers. One is flying low and one is flying high. The low chopper is on the other side of the village. I guess the village was perhaps off to the left, and on the far side of the village was still where the company could see the chopper without any trouble. Both

choppers start circling, and someone reports back to the company something like, "There's three of them, but two of them disappeared, but I've got one of them. I can see him, I can see him laying down in the field and I'll circle him. Come and get him." And the chopper kept circling, circled for a considerable period of time, maybe as long as 20 minutes before a couple of riflemen came out and got to them. Does this ring any kind of a bell?

A. No, sir.

Q. The rifleman came up to this man, and the VC was lying on the ground behind this dike, behind the dike of a rice paddy. He turned his head and looked up at the rifleman, and the rifleman bayoneted him, then shot him right through the head.

A. No, sir.

Q. The two men turned around and walked back to the company. The chopper pilot was mad as hell. Over the company net he chewed the hell out of the company commander. He wanted to know what the hell was going on when he had exposed himself and his aircraft and his crew for 20 minutes in a dangerous situation to try to capture a prisoner, then to have him murdered right in front of his eyes, and waste all of the exposure that chopper had done. He wanted to know why. The company commander called the platoon leader, asking what had happened and why it had happened. Apparently the platoon leader in talking held the transmitter switch down on the radio, because he was overheard in the chopper saying, "Why did you shoot him?" And the rifleman said, "Ah-ah-ah-ah-ah-" and then the platoon leader's voice cut in and said, "Did he have a grenade in his pocket?" and then the rifleman said, "Yeah, yeah, he was a Viet Cong and had a grenade in his pocket." Whereupon the platoon leader called to the company commander and said, "He was killed because he was a Viet Cong. He had a grenade in his pocket." So the company commander relayed this to the pilot, and the pilot said something to the effect, that wasn't so. I saw the whole damn thing. They never even searched him, and then flew off. Do you think if that had happened, you'd have heard about it?

A. Yes, sir. However, I didn't. I don't recall it happening.

Q. Let me ask you, could that have possibly have happened in Alfa?

A. Sir, knowing the then Alpha Company, I'd say no.

Q. How well did you know the men in Alpha Company?

A. Most of them quite well. We had quite a few dillies assigned to us just before we left Hawaii, and some of them I didn't get to know too well. The weapons platoon I knew quite well, and some of the men in the other platoons not quite so well.

Q. How well do you know EIKENBERRY?

A. Not real well. We had, as I recall, a little bit of trouble with him. I can't recall what it was. It seemed like back in Hawaii just before we left we had a little bit of trouble with him, but like I said, I can't recall what it was.

Q. Could he redeem himself in the eyes of the company?

A. It seems as though he did a pretty good job once we got on to Vietnam.

Q. Do you recall anything he did specifically?

A. No, sir.

Q. Who was your tunnel rat?

A. That's what I was wondering, sir. Seemed like he may well have been. I know a boy by the name of NEEDHAM, who had been to Vietnam once before, was a tunnel rat part of the time. And it seems as though EIKENBERRY may well have been, part of the time also. I just can't remember for sure.

Q. Do you recall that EIKENBERRY had three Bronze Stars for valor?

A. No, sir. I don't recall.

Q. Three Purple Hearts?

A. No, sir.

Q. Let me ask you something else. Why is there such a dearth of decorations on noncommissioned officers, of the men of Alpha Company?

A. I don't know, sir.

Q. I notice you're reasonably well decorated, but among the men that I've seen in here, very few of them are decorated. They don't have commendation medals; they don't have bronze stars.

A. Yes, sir. The decorations I won, except for one of them, came from the 196th. When I served in the 11th, it was not a case of not putting them in for it. As I remember, quite a few of them were written-up.

Q. Well, I would think you'd know this, being the XO.

A. Yes, sir. And as far as many of them coming down approved, I can't remember too many of them. I know that many times they had to be rewritten. The battalion S1 wouldn't go along with the way they were written-up, so we'd rewrite them and resubmit them, and there were a number submitted.

Q. Did you ever command the 3d Platoon?

A. Yes, sir.

Q. What operation was this?

A. This was on 23 February.

Q. Can you recall the details of that operation?

A. Yes, sir. We went in on the APC's, and there was my platoon and the 2d Platoon and the headquarters group.

Captain TRINKLE usually took 10 or 11 men from the weapons platoon to act as his security force, and we went down to the bridge there going into Quang Ngai City. We were headed east, and the 2d Platoon took the right flank, and my platoon took the left flank, and then the CP group in the middle. We started moving inwards and getting on to the tracks, and we were in there just a very short time until the 2d Platoon and headquarters group started receiving quite a bit of fire. Captain TRINKLE called me and told me to come back this way, over towards him, and to help him out, which we did.

Q. Did you command that platoon to any degree, under normal operations, up around Uptight, or do you recall commanding them on any?

A. No, sir.

Q. S&D operations.

A. Yes, sir. I had them out on an ambush one night, and it was only on the west side of that hill that you were talking about, as I recall--where we set up. We went in there with, I believe it was two platoons, and one of the other platoons had been out overnight on an ambush, and they joined up with us. As they pulled out we just sort of melted into the bushes and waited until dawn. Quite a little while before dawn we got, as I remember, either two or three VC to the north end of the trail and, of course, recovered their weapons. Then after dark one of my machinegunners cut loose, and the next morning we went out and there was another VC with an M-16 tied to his arm. I can't remember taking them on very many other operations. This was the 3d Platoon then, but we went on one combat assault also, I can't remember exactly, one or two, because it was in the AO, but it was just a day deal, and then came back that night.

Q. Do you have any maps, pictures, or this sort of thing of that area?

A. No, sir.

Q. What I'm thinking about is you're apparently going to school right now.

A. Yes, sir.

Q. So that means you're thinking a lot, studying, and I just want to say that you know what I've told you.

A. Yes, sir.

Q. You've probably learned a lot of things that you never realized occurred, and this should have sparked your thinking, and if it recalls anything to you, please don't hesitate to get to us.

A. I wouldn't hesitate, sir.

Q. If you can remember anything, it might come to you, it has to some of our people. It's been a long time, we appreciate it. It's been a very long time since these events occurred, and something just might trigger a thought. If it does, Major COOP will explain to you how you can get to us, and we would appreciate it if you would. We appreciate your coming in.

A. Yes, sir.

Q. I'd like to remind you again not to talk with anyone about what has transpired here, unless it's an official body or investigation. Then it's perfectly all right. And normally we permit anybody to ask questions or make statements for the record if they wish to, and I now afford that opportunity to you.

A. As far as any question, I don't have any questions. I, of course, hope that this gets all straightened out, and I hope that the military is not wrong. I find it hard to believe that anybody would kill a bunch of women and children. I hope this is definitely not the case. That's all I have to say, sir.

(The hearing recessed at 1125 hours, 16 February 1970.)

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SUMMARY OF TESTIMONY

WITNESS: MARCK, Ernest

DATE OF TESTIMONY: 18 February 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: CO's RTO, A/3/1.

1. PRIOR TRAINING IN THE RULES OF LAND WARFARE.

MARCK did not recall any instructions or briefings on the handling of PW's or the reporting of atrocities in Hawaii or Vietnam (pgs. 30, 31). He did not receive instructions on the rules of engagement, but learned them bit by bit as he gained experience (pgs. 31, 32). He had learned in basic training that PW's were to be protected from inhumane treatment (pg. 33). He did not receive the MACV cards "Nine Rules" or "The Enemy in Your Hands" (pgs. 34, 35). He did not recall any training on legal versus illegal orders (pg. 37). However, he stated that he would not have obeyed an order to shoot an unarmed civilian (pg. 39).

2. PREOPERATIONAL PLANS AND BRIEFINGS.

Lieutenant Colonel BARKER gave the briefing and told the men that they were going into Pinkville, but had it easy because they were going to be a blocking force (pgs. 16, 19). The men were disappointed (pg. 16). They were told to expect NVA regulars (pg. 19). BARKER explained the mission of the other companies in the task force (pg. 19). He did not say anything about burning hootches (pg. 20). While BARKER said nothing about the disposition of prisoners, the men knew they were supposed to tag them and report them (pg. 20). The witness expected a rough operation (pg. 22).

(MARCK)

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3. THE COMBAT ASSAULT.

a. Actions on the 16th.

The witness felt that they did not run into the resistance expected. B and C Companies reported kills, but A Company found no bodies when they went into the area to check it out (pg. 23). Thus, MARCK felt that the body count was being inflated (pg. 23). Although he monitored the task force net, he recalled no instructions to stop the killing (pg. 23). He thought that perhaps he heard an order to stop the shooting (pg. 23). At approximately 1530 he heard an order come down for C Company to go back to My Lai and count the bodies and report their age and sex (pg. 24). He did not remember Captain MEDINA's response (pg. 25).

b. Actions on the 17th.

The company laagered in a Buddhist temple which was a Vietnamese hospital (pg. 11). The area was "dug in" (pg. 11). At 2200 VC got so close to the machinegun positions that they threw grenades into them and killed two people (pgs. 11, 12).

c. Actions on the 18th.

On the morning of the 18th BARKER and Colonel HENDERSON visited the company and BARKER spoke sternly to Captain RIGGS for picking a poor defensive position (pgs. 12, 13). BARKER seemed angry (pg. 13). RIGGS was upset (pgs. 12, 13).

d. Actions on the 19th.

On the 19th the company moved to the beach (pg.14). The men felt relieved about this (pg. 14). While MARCK remembered helicopters cornering two VC suspects and a conversation between a pilot and RIGGS concerning it, he did not recall a suspect that had been killed by U.S. troops (pgs. 25-27).

4. INQUIRIES AFTER THE ASSAULT.

The witness did not recall hearing that there were 128 VC KIA and three captured weapons as a result of this operation (pg. 15). MARCK recollected no transmissions from either Captain MICHLES or MEDINA telling RIGGS how they had done on the operation (pg. 15).

5. OTHER INFORMATION.

a. The witness felt that the Vietnamese at My Lai got what they deserved from C Company on 16 March (pg. 5). His only surprise in relation to the matter was that such a big fuss was made about it (pg. 5).

b. The witness recalled an instance in which A Company killed two four or five year old children because it was thought the children had weapons (pgs. 6, 7). The children were running at the time they were shot (pg. 7). The children did not try to shoot the soldiers (pg. 8). Captain RIGGS, who witnessed the event, agreed that the shooting was proper (pgs. 7, 8).

c. MARCK had spoken to Sergeant DAVIS since the matter became public (pgs. 5, 8).

d. When RIGGS first took over as CO, he did not want the men to shoot anyone without notifying him first (pg. 16). Later, he told the men they could shoot someone who failed to halt after being warned three times (pg. 16). The soldiers had to inform RIGGS before doing any burning (pg. 17). The only officer who wanted to get a lot of kills was Lieutenant JONES (pg. 17). At one point JONES killed two VC and captured a weapon by himself (pg. 18).

e. MARCK saw one incident in which an ARVN soldier kicked a suspect which RIGGS watched (pg. 22). While he saw PW's roughly handled on occasion, he did not see them abused (pgs. 33, 34).

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EXHIBITS

EXHIBIT NUMBER	DESCRIPTION	NOTES	PAGES
M-2	MACV Card "Nine Rules"	Wit had never seen before.	35
M-3	MACV Card "The Enemy in Your Hands"	Wit had never seen before.	34

(The hearing reconvened at 1510 hours, 18 February 1970.)

COL ARMSTRONG: The hearing will come to order.

RCDR: The following persons are present: COL ARMSTRONG, LTC BRANDT, and MAJ COOP.

The next witness is Mr. Ernest MARCK.

(MR MARCK was called as a witness, was sworn, and testified as follows:)

Would you state your full name, occupation, and address?

A. Ernest Edward MARCK. I work at the River Company, Denver, Colorado, and the address is 1800 South Raritan.

COL ARMSTRONG: Mr. MARCK, I'm going to ask you to talk as loud as you reasonably can so that the reporter can get all the information down that you state, and also so the tape recorder can pick it up on this microphone. Is that all right?

A. All right.

Q. On my left is Colonel BRANDT. He and myself have both been appointed by the Chief of Staff of the Army to help General PEERS out in this investigation. Additionally, General PEERS has quite a staff of people who are helping him, even two civilian lawyers who volunteered to assist the Secretary of the Army by joining the investigating team and also providing legal counsel and guidance to General PEERS. With all this help and several groups like this taking testimony, General PEERS alone is responsible to absorb the testimony that's given and to come up with a conclusion, write the report, and make the recommendations. Do you understand the preliminary instructions that you read (Exhibit M-57)?

A. Yes, I do.

Q. Do you have any questions about them?

A. No, I don't.

Q. The way I do this is after asking you several normal, routine questions about your service and so forth, I go off the record and brief you as to the situation, roughly 15 March to 30 March 1968, as it pertains to the unit you were assigned to, with the object of focusing your attention to this particular time frame in the hope that you can recollect something. We appreciate that 2 years is a pretty long time to ask an individual to remember the exact events that took place, and to be specific about things until he really starts recollecting them. Sometimes by leading him into it, by feeding him a little information, we can spark his memory. We also ask you to please feel as much at ease as you possibly can. The important thing is to get information, and I point out that we have talked to over 350 men, both Vietnamese and U.S. personnel, soldiers, and civilians. General PEERS and the two lawyers have gone to Vietnam. They've looked over the ground, they've been on the ground, and it would probably be interesting for you to know that some of the various areas that you fought over are now occupied by the Vietnamese Army with no problems whatsoever, no big fights involved. It's really pacified. He occasionally mentioned this to other witnesses that have appeared. They seem to be rather gratified with the fact that we don't have to fight for this ground now. I will feed you this information, then we'll go back on the record and try to get the best of you recollection. I want to point out that we know quite a bit about what occurred, possibly even more than you ever knew, because we've had the benefit of seeing these exercises or operations from the viewpoint of many people. You may still have some small piece of information that you don't think is significant but which may very well be, and it will help us further to get a clearer picture of it. So without any further ado, would you please tell us what your service with the Americal was, when it started, when it ended, and what you did?

A. I went over with the 3/1 headquarters, Americal Division. About the first 3 weeks I was working the switchboard, and was later transferred to A Company.

Q. What time was this now?

A. It was about the first 3 weeks we got over there, right before Christmas.

- Q. You were in headquarters company, 3/1?
- A. Right, sir.
- Q. And you were a switchboard operator?
- A. Right. I was transferred to A Company on the same day we moved to a new location at LZ Dottie.
- Q. Do you recall about what date this was?
- A. I can't be sure.
- Q. Toward the end of January, wasn't it?
- A. About January 18th. Our CO at the time was Captain TRINKLE.
- Q. All right.
- A. We were at this area here, but nothing out of the ordinary happened. Then Captain TRINKLE was wounded and we got our second CO, Captain SHELTON.
- Q. All right.
- A. 2 weeks later he was wounded. Then we got a Captain RIGGS.
- Q. RIGGS?
- A. R-I-G-G-S. Then we worked that area for a while, and then we went back to LZ Thunder which is back in this area.
- Q. All right.
- A. We stayed there for about 2 months, then we went back to Bronco.
- Q. All right.
- A. That's all I can--
- Q. (Interposing) All right. Did you stay with A Company all during your tour over there?

A. No, I didn't. I was in A Company for about 5 months. Then I was what was called infused into the 523d Signal Battalion.

Q. You were infused in when, June or July?

A. June, I believe.

Q. June, the 523d Signal Battalion. Was that in the Americal Division?

A. That's right. I went right up to the Americal headquarters, to the D'TOC.

Q. Then you were in Chu Lai?

A. That's right.

Q. At the division TOC?

A. A week later I was sent to the hospital for about a month and one-half for malaria. Then I got out and came back from Cam Ranh Bay, and was assigned to the 523d Signal Battalion and stayed there for the rest of my tour.

Q. Then you were still pulling duty in the TOC?

A. Yes, I was.

Q. Except for the month and one-half break for malaria, you were actually a radio operator in the division TOC?

A. Right.

Q. And then about the first part of December you rotated back to the United States?

A. November I got back.

Q. Now, see if I can carry you back to this past fall, in September or October, when the My Lai incident hit the news media? I'd like to ask you two questions about your reactions. Since then, have you talked to any of your old friends or acquaintances or men you served with in the Americal Division about this incident, and what was your personal reaction to this?

A. Well, the first question, I have talked to some friends of mine that are in the Army about it.

Q. Who was that?

A. Sergeant John DAVIS.

Q. Sergeant John DAVIS?

A. Right.

Q. Who was he?

A. He was over in Vietnam with us. He was with 3/1 headquarters.

Q. He was in Headquarters and Headquarters Company, 3/1?

A. Right.

Q. All right.

A. We were separated in Vietnam when I went to A Company. Later on we were stationed in Fort Carson, and we got to talking about it. My personal opinion on it is why should it matter so much. The people over there really don't care to help the GI's out anyway. So whatever they get, I feel they deserve.

Q. What was your reaction? When it happened, when it was announced, were you surprised?

A. No, not really surprised. I guess things like that do happen over there. I was surprised of the big fuss that was made over it, but that's about all.

Q. Could you tell me why you weren't surprised?

A. Well....

Q. Why do you feel that it could have happened?

A. Because there was always the danger of some kind of sniper. We were given permission to destroy a village when the Viet Cong were found in cases like this, and we were given permission to burn certain houses to the ground if we were to find weapons or rice. So I guess it could be the whole village just as easy as one house.



Q. Well, the thing is that shooting women and children deliberately is a little bit different than lighting a fire over a--

A. (Interposing) I can't see how this could be done--

Q. What?

A. I can't see how this could be done without knowing what you were doing.

Q. Well, that's what I say. Wasn't this the essence of the news story? The monsters in the U.S. Army uniform gathered up these women and children and then mowed them down in cold blood?

A. I just can't believe that. I feel that they had enough reasons.

Q. In other words, you just don't see it that way?

A. I don't see it the way it's said to have been done, because I know how things can look different then they really are.

Q. But it wouldn't surprise you that perhaps some of these kinds of actions took place? Under what circumstances would they take place, or anything like that?

A. Well, I don't know. At one time we killed two kids. They were about 4 or 5 years old. But again, these kids had weapons too, and they were grabbing them. I guess they could have been mistaken for having weapons.

Q. Your company actually killed a couple of kids that were carrying weapons but running from you?

A. That's right. We were told to shoot anyone that ran with weapons, to shoot him.

Q. At what range did you shoot them, do you recall?

A. If we were able to see that they were carrying weapons, it was at close distance.

Q. Did you see this?

A. Yes, sir.

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Q. Who gave the order to shoot?

A. Well, no one really gave the order to shoot. Over there they wouldn't give orders, they'd just say for you to holler out "halt" three times. If they didn't halt and if they were running and carrying a weapon, shoot.

Q. Well, when this occurred, what were the circumstances surrounding it? What was your position at that time?

A. I was the RTO for the CO, and we were working this area for about, I guess, 3 days. We passed by this same old village about twice. We seen these kids and then we didn't think nothing. Then we seen two Viet Cong running towards us, and we seen that the kids were carrying a weapon. So....

Q. You mean the company commander was present?

A. Well, he wasn't right there, but I believe he was in the line somewhere.

Q. Well, weren't you always right next to him?

A. Some of the times. It was the CO's habit to walk away so they wouldn't identify him by my radio.

Q. What company commander is this, do you recall?

A. I guess it was Captain RIGGS?

Q. You think this was Captain RIGGS?

A. Yes, sir.

Q. What was his reaction, do you recall?

A. Well, he didn't like the idea, but as soon as he did see that they were carrying weapons, he said there wasn't anything else we could do but stop them any way we could.

Q. When these kids were running, they were running away from you?

A. That's right. They were running away from us.

Q. They weren't trying to shoot you?

A. No.

Q. And Captain RIGGS--did this happen before he could react?

A. Yes, it did.

Q. Then what was his reaction toward the people that did it?

A. Well, he just said that there was nothing else that we could do.

Q. Do you recall who did the shooting?

A. No, I don't.

Q. Was it somebody out of the platoons or out of the command group?

A. When one person opens up, usually the whole company does. I couldn't really say.

Q. Basically, when you were with A Company, you were the CO's RTO?

A. That's right.

Q. Did you ever have leave or R&R or anything while you were with the company?

A. Not when I was with the company, no.

Q. So day in and day out you pushed that radio and were on all the operations the company had?

A. Yes, sir.

Q. Okay. What did you discuss with Sergeant DAVIS when you saw him?

A. We were just talking about the My Lai incident and just how--you know, just giving our opinion on it.

Q. Did he ask you if you knew anything or saw anything?

A. Well, yes. He asked me if I was directly involved with that, and I told him no.

Q. Do you remember the events of that operation pretty clearly?

A. Most of it, yes. It was during our fire fights that I got a call on it, but I can't recall the date on it.

Q. Actually, this was not a fire fight for A Company?

A. No.

Q. But this was the third time that Task Force Barker had been into the Pinkville area? They went in about 3 February, and I think A Company was in on that. And they went in on the 23 of February, and that's when Captain TRINKLE got hit.

A. They killed 68.

Q. Then Captain SHELTON got hit about a week later on the bridge or close to the bridge that Captain TRINKLE had been hit on, right?

A. That's right, sir.

Q. Okay. Captain RIGGS had been in command, I guess, a week or 10 days when the operation we're talking about took place. Does this strike any memory?

A. Captain RIGGS came to our company, and I guess it must have been about 2 weeks later we got in a big fire fight, I believe it was around Pinkville. We had a ground attack and some mortar rounds.

Q. We'll recess right now, and I'm going to brief you.

(The hearing recessed at 1530 hours, 18 February 1970.)

(The hearing reconvened at 1545 hours, 18 February 1970.)

COL ARMSTRONG: All right. Mr. MARCK, would you be so kind as to describe to us, as best you recall them, the events of 15 through about 20 March when you were with A/3/1 in Vietnam?

A. All right. I can remember when we were to move into position as a blocking force because one of our lieutenants was left behind.

Q. What lieutenant was this?

A. He was our artillery lieutenant.

Q. He was you FO?

A. Yes, he was. So we left behind, and we had to send a patrol out after him. He was apparently asleep. So we moved into a blocking position, and as far as I can remember there was nothing pushed our way. We just stood there. Then we heard that Bravo had reported shooting I don't know how many Viet Cong on the river. We were right by the river, so we went down to help. We didn't find the bodies, so anyway we just stood there until we were told to move.

Q. What day do you think it was?

A. I have no idea.

Q. And this was--

A. (Interposing) This is the day we moved into the blocking position.

Q. No, you moved into the blocking position on the early morning of the 16th.

A. The 16th?

Q. Yes.

A. So we must have moved in on the 17th or the 18th.

Q. Remember, on the 17th you moved out there?

A. Yes, the blocking area.

Q. Do you recall where the 2d Platoon went from the blocking position?

A. No, I don't.

Q. Do you remember who the 2d Platoon platoon leader was?

A. Lieutenant--at the time I don't know, I'm not sure.

Q. Lieutenant COKER? Do you remember where he was sent with his platoon on the afternoon of the 17th?

A. He was separated from us to maintain a blocking area, but I don't know the exact location of this. I believe we moved inland.

Q. All right. The rest of the company, to the best of your knowledge, then moved from the blocking position. Can you recall where they moved or where you moved with the rest of the company? Did you cross a bridge?

A. I think Bravo Company had reported some trouble on a bridge. We went to check the bridge out. That's when Captain SHELTON got hit.

Q. That's a different operation.

A. Then I don't remember what position we moved into.

Q. You moved into a position where you had received a sapper attack. Was that south of the Diem Diem River or on the Pinkville side of the river, or was it somewhere else?

A. It was on the Pinkville side of the river.

Q. Will you sight your observations of the tactical soundness of the position you were in, that you spent the night in.

A. We were walking into a village where we got re-supplied. After a while Captain RIGGS decided to move into a night laager position, so we put our headquarters crew there. We had a small villa that night. Everyone was right on top of each other. The area was dug in. We made our headquarters in a Buddhist temple which was a Vietnamese hospital. About what I'd say was 10 o'clock maybe, we started receiving fire. Well, we didn't receive fire. The first thing that happened

was grenades went off. Viet Cong were allowed to get so close to our machinegun bunkers that they just dropped them in and killed two of our men. There was a lot of confusion after that. Everybody was running around looking for where they should go, and then I remember the choppers got there. Well, it was about 45 minutes before they come out, because we were getting fired upon until then.

Q. Okay. Was there any more trouble that night?

A. The firing went on. But when it finally did stop, after that there was no problem.

Q. Do you recall any visitors that Captain RIGGS had the next morning?

A. I can't remember, but I think someone did chopper out to look over our location and just what had happened.

Q. Would you recognize Colonel BARKER if he ever came to visit?

A. I can vaguely remember him, but he did chopper in and talk with us quite a few times. I believe I would.

Q. Was he one of the officers that visited the company that morning?

A. I guess he must have been.

Q. Do you remember him talking to Captain RIGGS in sort of a stern fashion about the fact that he picked such a poor position for a defensive position?

A. Yes, I do. Yes, because Captain RIGGS was pretty upset.

Q. Was Colonel HENDERSON along with him, a full colonel?

A. There was a colonel there, yes.

Q. With glasses?

A. Yes.

Q. And was there another lieutenant colonel there with sort of a thin, sharp face, an artilleryman?

A. I can't remember.

Q. Colonel LUPER?

A. I can't remember.

Q. But do you think you remember Colonel HENDERSON and Colonel BARKER?

A. Yes, I do. Yes, because Captain RIGGS was upset.

Q. Did Captain RIGGS get upset with Lieutenant JONES?

A. Which Lieutenant JONES?

Q. The one that you knew?

A. I believe he did, yes.

Q. Let's see if this refreshes your memory. "Captain, I expect you to check the position of every weapon in your company when you go into a laager at night. That's your job, you're company commander, to see that everything is put in its proper place."

A. Well, I wasn't there at the time this was going on.

Q. Oh, I'm sure that you didn't--well, I'm not sure if the battalion commander wouldn't have chewed out the company commander in front of you. You are in a position where nobody pays any attention to you, but you're expected to be right there all the time with that radio. You are in an unusual position in the company because you are always knowing what's going on. You know as much about everything as the company commander does, so that's why I say that maybe you would have heard this.

A. No. I believe I was quite a ways from him when it was taking place, but I do remember BARKER jumping around, you know, making all kinds of mad motions. I noticed this distinctly.

Q. Now, when you moved the next day, was there anything incidental about the movement to the hill when you re-joined the 2d Platoon?

A. I don't believe so.



Q. Okay. Let's say you're on a hill now. You spend the night there on the hill, this is the night of the 18th. The next morning you know that you're going to move out and go over to the beach, and move away from the Pinkville area. Everybody feels kind of relieved about this, right?

A. Right.

Q. And one of the things you did not want to do was go walking around in the Pinkville area. It was bad enough as it was without going down to a place where you know you'd run into booby traps. So, on the 19th you marched, hiked, I would say route-marched, over to the beach. Can you recall whether you hit the beach in one column, was one platoon right after the other, or did you, as you approached the beach, 2 or 3 kilometers out maybe, spread out into two columns, two platoons abreast and the 3d Platoon behind them with the commander?

A. I believe this same day that a couple of lieutenants went in and hit booby traps.

Q. They hit booby traps down on the blocking position.

A. We arrived, separated by platoons, on the beach.

Q. Let me ask you something. What platoon lead in the march from the mountain to the beach? After a while, you went into company column. Do you recall which platoon lead?

A. I believe it was the 1st Platoon. The 1st Platoon.

Q. The 1st Platoon had been beaten up by the mortar attacks.

A. I still think it was Lieutenant JONES.

Q. You think it was Lieutenant JONES, is that right?

A. Yes.

Q. Do you have anything that makes you think it was JONES?

A. No, just the 1st Platoon.

Q. Do you recall when you heard the final count on the 16th of March operation? Remember what it was? I know you read it in the newspapers since.

A. The final count killed?

Q. Yes, remember what they were?

A. Well, for our company during the time we reported about 46 killed, and then later on it was raised up to 68 killed.

Q. That was the time you were in.

A. Yes.

Q. I'm talking about the 16th of March, this last operation.

A. No, I didn't hear nothing.

Q. Did you hear about 128 VC KIA and 3 weapons captured?

A. Not that I recall.

Q. This is the biggest job the 11th Brigade has done since you got here.

A. I can't remember that, no.

Q. Maybe Charlie and Bravo Company radio over to Alpha Company saying, "Hey, we did real well today. How did you do?"

A. I don't remember Bravo Company doing that.

Q. Do you remember Captain MICHLES calling over and saying, "We did real well today. How did you do?"

A. Well, not in those words, no.

Q. No, I appreciate that. There was a radio communication obviously?

A. Yes.

Q. You don't remember Captain MEDINA saying it to Captain RIGGS?

A. No, I don't.

Q. Do you remember on the 15th, Captain RIGGS coming back, saying to gather the platoon leaders together and perhaps the platoon sergeants. When he issued an order, to whom did he talk, the platoon sergeants and the platoon leaders, or just the platoon leader?

A. The platoon leaders, who in turn talked to the sergeants.

Q. Were you present when he issued the order?

A. Some of it, yes.

Q. Do you remember him coming back and saying the task force is going into Pinkville again but we've got the milk run, or words to this effect?

A. Yes.

Q. We've got it easy. The other two are going to combat assault, but all we have to do is move down and pick up a blocking position?

A. Yes, I do. We were all disappointed.

Q. Tell me something about Captain RIGGS? Was he the bloodthirsty type? Did he like to see that body count?

A. No. Captain RIGGS at first was one of the stiffest CO's we ever had, but after a while he learned more or less what it was all about so he stopped. When he first got there, he didn't want us to shoot no one without notifying him first, which you just can't do that.

Q. In other words, he wanted to control the firing?

A. Yes, he did, completely. But later on he eased up on that. He said to call "Halt" three times, and if they just keep going just shoot them or wound them first.

Q. Then there was reason to believe he was--

A. (Interposing) Yes, he was more or less scared.

Q. He was concerned?

A. Yes. He was--well, the only CO we had in A Company. When he first got there, he made me walk away from him so they wouldn't identify him. So he more or less knew what was happening except for that one time.

Q. Did he really go for this burning down the hootches and stuff?

A. No, he didn't, no. He'd have to have a reason behind that. Well, you first have to notify him, or it just didn't happen.

Q. What about Lieutenant WHITE? Was he a "go get'em" type?

A. No, the only one was Lieutenant JONES.

Q. Lieutenant JONES was the real "go get'em", is that right?

A. Yes.

Q. Was he real aggressive, did he dislike the Vietnamese, or didn't he care one way or the other about them?

A. Well, I guess he cared but he just wanted to get as many kills as he could. He was out in the field, I believe, the last couple days before he was to leave Vietnam.

Q. He was what?

A. Out in the field the last couple days before he was to leave Vietnam. He took Captain RIGGS' place when he went on R&R, so he was the CO of our company for a while. He'd go out on patrols, you know. He'd just drop us and go out on patrols by himself and me with the radio, and he'd expect me to keep up with him.

Q. And you were with him on these patrols?

A. Yes.

Q. You mean he and you went out on patrol?

A. Well, not far away from the company.

Q. Did he use Sergeant BENGGE in his little security group to any great degree?

A. I think they were with him most of the time, yes. I can remember on particular day that we were up on the hills, and we were just sitting around. He decided the area looked like it would hold VC, so he took off by himself. Then later on we heard him shoot and holler and yell. I believe he killed two VC that day by himself, and he got one weapon.

Q. This he did by himself, is that right?

A. Yes.

Q. Did he get himself a great big Silver Star for this?

A. I sure hope so because he probably deserved it more than anyone else.

Q. He was a little bit itchier on his trigger finger than the others perhaps?

A. He was, yes, he was. I remember one more incident that happened. We were walking along on this day operation. I believe he wasn't the CO at that time, Captain RIGGS had returned. He saw three guys at the waterhole getting water, so he shot at them and put holes in their canteens. It turned out they were GI's, but he didn't hit them. Captain RIGGS chewed out Captain JONES for doing it, and then Captain RIGGS told them off for being out getting water by themselves. I guess he really didn't wait to see who it was before he shot.

Q. What range was this, do you recall?

A. It was quite far. I didn't ever see them because I was walking behind them.

Q. Were they from the same company, your company?

A. No, they weren't. They were from another company laagered down on the hill. They said they were from one company, but Captain RIGGS called them up and they said it wasn't their men. You know, they must have been lying.

Q. Do you know where Lieutenant JONES is now?

A. No.

LTC BRANDT: I'd like to go back to the briefing that was received prior to the company going on this operation. Did Captain RIGGS conduct a briefing of his platoon leaders prior to this operation?

A. I remember one time. I don't know if this is the same time. Yes, I believe it is. We were up on LZ Dottie and BARKER came out. He actually gave us the briefing on what was to take place, telling us that these would be regular Viet Cong, they were going to be North Vietnam regulars. That took place on, I believe either, LZ Uptight or Dottie. I'm not sure.

Q. Was this the evening before you moved down to your blocking position?

A. I believe it was. It was in the daytime.

Q. That would be on the 15th?

A. Yes, the next day.

Q. You did accompany Captain RIGGS to that briefing?

A. Well, this briefing in particular, the whole company was there, present. Everyone stood outside and listened while he was talking.

Q. Can you recall what Colonel BARKER said?

A. Yes. He said that we had been doing real good and he knew that he was running us ragged and all this. Then he put us in a blocking location. He said that if we get anything, it will be pushed into us. And, you know, to be more at ease than we usually are, because they are more dangerous.

Q. Did he tell you what the mission of the other two companies was?

A. Yes, he explained the whole idea.

Q. How did he say it. Can you give me generally the concept of operations that he conveyed to the company at that time?

A. Yes, he brought out a board with him with a map on it. He actually showed us where each one of would be located, and how we'd swing in.

COL ARMSTRONG: Basically what I told you?

A. Yes.

LTC BRANDT: What specific instructions did you receive in regard to, let's say, the village that you'd be going through? Was there any mention of burning any of the hootches at that briefing, any instructions in regard to action to be taken in the village of My Lai as an example. Did he mention what the companies' missions were?

A. He told us what each one of the companies mission was, but he didn't mention burning the hootches.

Q. He didn't mention this?

A. No, I don't think he did.

Q. Did he give any instructions during the briefing in regard to disposition of retainees, what you should do with prisoners?

A. I can't remember him saying anything about it, because by this time all the companies knew what to do with prisoners captured.

Q. How did you know that?

A. Because each one of our companies had prisoners before. All they did was tag them and report them.

Q. This was based on experience?

A. Yes.

COL ARMSTRONG: What did you do with them?

A. We put a POW tag on them and then reported them. If they could send a chopper out for them, they would. If they didn't, we'd carry them along until they could.

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LTC BRANDT: How often did you have prisoners that you held, let's say, in the company area overnight? Was this a normal way to operate, or normally were they evacuated out as soon as possible?

A. I believe there was one time we held them overnight, but just the once. I don't know what the reason was.

Q. What did you do when you captured them? Did you have some steps to go through as far as processing of prisoners? Did you tag him?

A. Yes.

Q. Did you interrogate him?

A. That was left up to the company commander. He would come over and ask him for an ID and, you know he'd question him. If he thought maybe they could be Viet Cong, maybe he'd keep them. We'd tie him up, give him a tag, and then radio it in.

Q. To your knowledge then, any prisoners that were taken or any detainees that were apprehended by A Company, as far as the platoons were concerned, would they be immediately brought back to where the company commander was or would they be held up in the platoon areas?

A. Well, most of the time they'd be held in the platoon areas. He'd be notified, and we'd go back to where they were.

Q. Then you would go to them?

A. Yes, if it was convenient.

Q. Did you have an interpreter with you or Vietnamese interpreter?

A. At this time I don't believe we did. No, we didn't, because I remember one time interpreters came out by chopper. No, we didn't have any.

COL ARMSTRONG: Did you witness a lot of interpreters interrogating prisoners? Have you seen that quite often?



A. Yes, I did.

Q. How did they treat the prisoners when they were interrogating them?

A. Well, I knew that the ARVN's were--we had an XO of one company with us and reported the Viet Cong had killed his family. He was really rough on them, and if they didn't say what he wanted he just kicked them.

Q. Did you ever see any American doing that?

A. No, I didn't.

Q. What'd Captain RIGGS do when he saw this guy kicking them?

A. Well, he'd more or less say that they knew what they were doing. He didn't understand the language, so he couldn't understand what they said.

Q. He didn't try to stop this?

A. No, he didn't.

Q. Was Lieutenant COKER kind of bloodthirsty?

A. No, he wasn't, not at all, wasn't aggressive at all.

LTC BRANDT: Let me go back. What was your understanding of the type of operation that was to be conducted?

A. I really thought we were in for more trouble than we got here because he described to us, BARKER did, what kind of weapons they were carrying and that we were in for some rough going.

Q. During the operation on the day of the 16th, of course, you were monitoring the radio as far as the command net, the battalion command net, or the task force command net?

A. Yes, sir.

Q. Did you think that you had run up against the type of resistance that Colonel BARKER had anticipated?

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A. No, I didn't, no.

Q. When did this come to your attention? Did you realize this early in the operation, that you weren't meeting the resistance that you had expected, or that B Company or C Company weren't meeting the resistance that was expected?

A. I didn't really realize how deep we were until we got in ourselves. I was monitoring what the other companies were saying, but I'd say they reported about 40 killed and usually they'd have about 10 killed. They'd go over their head too many.

Q. In other words, they inflated the killed as far as the reporting. Is that what you're saying?

A. Yes.

Q. They reported more than they would kill?

A. Yes, because they report killing them, and then right after they report it we'd go through the area and there'd be no bodies there, no sign of blood or anything.

Q. Do you recall any report as far as enemy casualties are concerned that came over the command net during that operation?

A. No, I don't.

Q. Was there anything unusual that you heard over the radio during the operation?

A. Not that I could remember.

Q. You don't recall the task force commander, Colonel BARKER, issuing any instructions to stop killing? I should think you would have heard that as it came over the command net. Do you recall anything like this? This would be abnormal as far as an operation is concerned.

A. No, I don't.

COL ARMSTRONG: Stop the burning?

A. Stop the burning I might have heard during this operation, but not stop the killing. I know I heard stop the burning over the radio, but I don't remember when.

LTC BRANDT: You remember about when this was, what time during the day?

A. It was towards the early afternoon, about 2 or 3 o'clock.

Q. About 2 or 3 o'clock, early afternoon?

A. Yes.

COL ARMSTRONG: At about 3:30 in the afternoon, was an order issued for C Company to go back to My Lai and count the bodies?

A. Yes.

Q. And report the age and sex?

A. Yes.

Q. Then another transmission came in, and what did it say?

A. I'm not sure.

Q. What was the call sign of the commanding general?

A. During that operation?

Q. SABRE 6?

A. Possibly, I can't remember.

Q. What was the call sign of the regimental commander or brigade commander?

A. I don't remember that either.

Q. Do you remember where a voice came and directed C Company back to confirm the body count and report the--

A. (Interposing) Yes, I remember this.

Q. Then Captain MEDINA said: "Heck, we're too far back and we're just about ready to get into a night laager. It's a long way back over there, and I know there's only 20

or 30 civilians killed. They weren't counted in the body count and they were killed by artillery. I don't want to move the company back there." The other voice from battalion, which is really the battalion S3, says: "You've got to go back. We've got to have this information." Then another voice cuts in and say, the division commander says: "No! Do not send that company back through there." Now, this happened about 3:15, that is certain. It came into your radio, I know this. Can you remember whether the battalion S3 really told Captain MEDINA or Charlie Company to go back and count the bodies as well as check the situation of the bodies?

A. I don't recall what it was.

Q. You don't recall him saying it was too late in the afternoon and he just got the company in, and besides that there wasn't more than 20 or 30 civilians in there and they hadn't counted them anyway, they'd been killed by artillery.

A. No, I don't.

Q. All right. Let me ask you this. You remember in your normal operations with Task Force Barker any time where the choppers flew cover for you?

A. There's so many times I can't--

Q. (Interposing) Primo. Do you know which one I'm talking about when I say Primo? Does that sound familiar?

A. Yes. The Primo ships we've had quite often.

Q. Do you remember one incident where the company was marching along and a Primo bird was out scouting and protecting you, and quite a distance out to the front and off to the left, perhaps a little bit beyond the edge of a village. One of the Primo birds, the one flying low, says, "Hey, I got one, I see one. I'm going to corner him." He cornered him. "Okay, get some guys out here, pick this guy up" He was circling out there, circling around and around, and I'm sure you had to call down to the lead platoon, "Get somebody over there to pick them up. See that bird circling."

A. I remember one time we had Primo birds out, but that was Captain SHELTON again.

Q. What happened then?

A. We were up on the river that time. We seen two Viet Cong across the river, and it was too deep for any of us to cross. When the Primo bird came, me and the CO went over on it. We got one of them in a hole, but the other one we couldn't find. So we flew back across the river.

Q. Did you get to bring the man with you?

A. Yes, we brought him with us.

Q. Was he armed?

A. No, he wasn't. He was an older man.

Q. He was an older man?

A. So anyway, we got back across the river and we seen the other man running, but we couldn't hit him.

Q. The time I'm thinking about, they called down and said: "Get some guys over here." So two men were sent out from the leading platoon?

A. That again might be the time when--I don't believe it was the Primo birds on them. They threw a smoke out of the chopper to indicate the VC's location, and whoever did it hit him on the head and knocked him out.

Q. Knocked out the VC?

A. Yes, pretty good knockout I'd say.

Q. Did you get the guy. Did you bring him in and capture him?

A. Yes. And there was another one that was being killed by a chopper. We went out to the location where he was supposed to have been picked off, but we couldn't find him.

Q. Okay. The one I'm talking about, it ended up with the pilot chewing out your company commander. He was real mad at him, and this is a warrant officer talking to a captain. He's so mad he can't see straight. He says: "I sit here and corner this guy to get a prisoner, and I expose myself and my equipment and my crew for 20 minutes. When you come up there, you shoot him. It will be a cold day in hell before I'll ever capture another guy for you." Remember this?

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A. No, I don't. I remember one time when the chopper come out because we got all the weapons, you know, that supposedly our company gets credit for the weapons. I can't remember anything like that.

Q. I understand that one time a chopper pilot had quite a conversation with Captain RIGGS going on the radio about the weapon of a guy they had pinned down. Your people had gone out and seen this, and Captain RIGGS said don't worry about it, he'd see they got the weapon.

A. Yes, that's the time I'm talking about. But about killing, I can't remember that.

Q. The chopper pilot called down, and Captain RIGGS called the platoon leader and said, "What happened out there, what'd you do with that guy?" The platoon leader said to wait just a second, he would check. He starts talking to his riflemen, and apparently he held the key down on this radio, and he says, "What happened out there?" The guy didn't answer. The platoon leader says: "You mean to tell me he was a Viet Cong, you found a grenade in his pocket." "He was a Viet Cong, so we shot him." The the platoon leader went through the regular radio procedure, and called back and reported to the company commander. "He was a Viet Cong; they found a grenade in his pocket." But the only thing was because the platoon leader had his key depressed on his transmitter, this went right straight through all of the radios, his converstation with the riflemen, and up into the chopper. Now, would you have remembered that if that had happened?

A. I believe so, but I don't remember it happening. No, I don't think it happened because I remember everything that happened at My Lai. I remember things like that.

Q. Do you remember the tunnel rat?

A. Which was that?

Q. The company tunnel rat, do you remember who that was? EIKENBERRY?

A. I don't remember his name, but we had one one time. Yes, he was a short, chubby guy.

Q. What kind of guy was he?

A. He was a scary person, but he wouldn't kill or anything.

Q. He was a good kid?

A. Yes. He took a lot of chances. I remember one time we found Viet Cong camped underground. He went in and shot two Viet Cong in the tunnel, and I believe he shot those with a .45.

Q. He got three Bronze Stars for valor?

A. I believe so.

Q. Do you think he earned them?

A. I think he did, yes. There was no one else that would go in those tunnels.

LTC BRANDT: I'd like to talk to you now about some training matters. First of all, when did you join the 11th Brigade?

A. I joined them when they were in Hawaii. About November, yes, about November.

Q. Where did you come from?

A. I came off leave from my--I came off leave to Denver, but I was in Fort Gordon, Georgia. I was a holdover there. I just finished my schooling.

Q. So you were one of the last people, probably with the last group, to come in and join the 11th Brigade.

A. Yes, that's right. I was the only one to come in at that particular time.

Q. You were the only one?

A. Yes.

Q. Now, you joined the brigade and you were assigned to the headquarters company at that time, is that correct?

A. Yes.

Q. In other words, was this the 3/1?

A. Yes.

Q. This is the same battalion in which you were in the headquarters company?

A. Yes.

Q. And you were the only person, you say, that was assigned at that time. In other words, you came as an individual, you didn't come in a group?

A. No, I didn't come with a group. I flew in by myself.

Q. Were there other people that joined at the same time or right within that time frame?

A. Well, I believe two came about a week and one-half later.

Q. How long was this before you actually deployed to Vietnam?

A. About a month and one-half.

Q. About a month and one-half. Were you immediately assigned as a switchboard operator when you arrived?

A. No. When I arrived what we were doing was in the process of packing everything aboard ship to move. We were boxing stuff. Once we got to Vietnam, that's when we decided who would go to where.

Q. Then you were assigned as a switchboard operator once you arrived in Vietnam. Is that correct?

A. That's right, yes.

Q. So basically during this month that you spent with the brigade in Hawaii, primarily what you did was prepared for movement?

A. That's right.



Q. Did you receive any training during your stay in Hawaii?

A. Not much training.

Q. When did you get an M-16? Did you get it just prior to movement?

A. I believe so, yes.

Q. You went out to the range?

A. Right.

Q. Did you receive any classroom instructions on subjects such as handling prisoners of war?

A. No, we didn't.

Q. Did you receive any classroom instructions on the Geneva Convention while you were in Hawaii?

A. No. They might have done this before I'd gone there.

Q. But in your particular case, do you recall any such instructions being given. Possibly you didn't attend.

A. No, I didn't attend.

Q. Did they give any instructions on reporting atrocities?

A. No, they didn't.

Q. No instruction on that either while you were in Hawaii? I'm just confining my questions to the period of time that you were in Hawaii?

A. No, they didn't.

Q. When did you arrive in country, Vietnam?

A. I believe it was about December 19th.

Q. About the 19th of December, is that correct?

A. Yes.

Q. What primarily did you do initially upon your arrival in Vietnam?

A. We got there--we set up tents first of all.

Q. Right.

A. Then we moved all our equipment. We made a DTOC, and then we went right into operations.

Q. Did you attend any classes that were presented by members of the 3d Brigade of the 4th Infantry Division? Do you recall any classes that you attended that they gave you?

A. No, I don't.

Q. You went right into operations. Now, that was as a switchboard operator?

A. That's right.

Q. You did not attend any in-country training that you are aware of?

A. No, we didn't.

Q. Did you hear of any in-country training being presented?

A. No, I didn't.

Q. Therefore, the only training that you had basically with the brigade was familiarization with the M-16 that took place just prior to movement in Hawaii, is that correct?

A. That's right.

Q. When you were assigned to A Company, did you ever receive any briefing on handling prisoners of war?

A. No.

Q. Did you ever receive any briefings on reporting atrocities?

A. No.

Q. Did you ever receive a briefing on the rules of engagement, when you could fire and when you could not fire, specifically in regard to working in builtup areas or villages?

A. Not at the time, but later on we learned these things.

Q. These were all things that you had accumulated over a period of time as far as your knowledge?

A. Yes.

Q. In other words, you picked them up a little bit here and a little bit there as operations went on?

A. Yes, they might have done it in the company before I was transferred into there, but they didn't do it for me as an individual.

Q. Did you have any of this type of instruction before you joined the 11th Brigade in Hawaii?

A. No.

Q. You got there late in their training cycle, and which unit did you say you came from?

A. I came from straight out of school at Fort Gordon, Georgia.

Q. Straight out of school. That was radio school, communications?

A. That was radioteletype school.

Q. I see. Let's go back to your basic training. Can you recall what type of instruction you received during basic training on those subjects which I mentioned?

A. Well, the classes we had were pretty thorough. They told us what was expected when you did capture a prisoner, how to tag them, and what you put on the tag, which I don't recall.

Q. But they covered this as far as the procedures?

A. Yes.

Q. Did they talk about searching the prisoners? Did they talk about segregating the leaders from the troops?

A. Yes.

Q. Did they talk about safeguarding prisoners in any respect?

A. Yes, they did, because I recall them telling us to put them separate in order for them not to talk to each other.

Q. Yes, but did--were you instructed to protect them from inhumane treatment? Was that covered?

A. Yes, it was.

Q. Can you relate to me what you were told?

A. Well, they just told us to leave the interrogation up to the people who knew how to handle them. What we, you know, lower ranks should do with the prisoner, they told us to just tie them up and guard them, and make sure they were well taken care of.

Q. Now, going back to that instruction or recalling that instruction, is this basically what you experienced in Vietnam as far as the method of handling prisoners, or is this contrary to the way you handled prisoners in Vietnam?

A. Well, you have all kinds of people. Some prisoners were taken care of real well, and others were real bad.

Q. Can you relate some incidents that would show me that some were taken care of very well and others not so well?

A. It's when the CO was in on it. They were tied up and jumped on.

Q. When the CO was present this happened?

A. Right. When he wasn't, the lower ranks would just more or less fiddle around with them, punched them and things like this.

Q. Now, was this just rough handling or was it actually abuse?

A. No, it was just a little rough handling. It didn't go to any extremes.

Q. You've never seen a case of an extreme--

A. (Interposing) Oh, no.

Q. As far as handling a PW?

A. No.

Q. Did you have this little card that was issued, a MACV card? Did you have a copy of that, or did you ever receive a copy of it on handling PW's? You could refer to it, and it said you can do this but you can't do this (referring to Exhibit M-3).

A. Not that I remember, no.

Q. Did you carry a Code of Conduct card in your wallet or in your pocket? Do you recall whether you had a Code of Conduct card?

A. I received one, but I didn't carry it, no.

Q. Where did you receive this card?

A. Back in basic training.

Q. But when you were with the 11th Brigade, you can't ever remember getting a card when you arrived in Vietnam, a Code of Conduct card, handling of PW's?

A. I can't remember that.

Q. Can you remember a Rogers Rangers card? Does that strike a familiar tone? Did you carry any cards with you, or did you receive any of these little cards when you came into Vietnam?

A. Not that I remember. I know I didn't carry them with me, because you just can't do that.

Q. Well, what I wanted to do was I wanted to show you some of these cards. These are Exhibits M-2, M-3, and M-4. Have you ever seen any such card? Specifically, when I say "Enemy in Your Hands," that's the handling of prisoners of war. That was on the first page, M-3.

A. No, I didn't. I never received any of them.

Q. You have never received a card that looks like this?

A. No.

COL ARMSTRONG: Did you wear dog tags?

A. No. Out there it's just too much noise to wear dog tags.

Q. You didn't have them on you at all?

A. You carried them with you in your pocket, but you didn't wear them.

Q. Who checked to make sure you had them in your pocket?

A. No one, I guess.

Q. When do you take you malaria pills?

A. When I first got in country, Captain TRINKLE seen that we took them. After that, it was on your own.

Q. You eventually got malaria?

A. That's right. Well, we couldn't tell them to chopper it out to us.

Q. You couldn't what?

A. Have them choppered out to us.

Q. Why?

A. Sometimes they are pretty busy, you know, during resupplying periods. All they could bring out was decent food so we didn't get malaria.

Q. I don't like to argue with you, but how much effort would it take to bring out malaria pills to the company?

A. Not much, but the medics didn't carry none.

Q. The medics didn't. Why didn't they come out every day with your chow or your water?

A. The last month we were there, they did start coming out with chow.

Q. Yes, after you'd spent a month and one-half in the hospital.

A. But they don't come out every time.

Q. When they did come out, did anybody see that you took them?

A. Yes, for a while they had us all, you know, they were there when you would go through the chow line. The medic was standing at the end of the chow line, making sure you took them.

Q. You mean the company commander didn't do this?

A. Well, no, he's got the medic to do this.

Q. Pretty soon nobody made sure that the medic did it, and pretty soon the medic got tired of doing it.

A. I guess so.

Q. And then you didn't scream?

A. No.

LTC BRANDT: Let me go back to one question that we covered

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on various subjects. I want to make sure I include this. Did you ever receive any instructions on what constitutes a lawful order? In other words, what an officer may tell you to do and whether it's lawful or not?

A. No, I didn't.

Q. In your Army career, did you ever receive any of this type of instruction?

A. I might have back in basic. I can't remember.

Q. That would have been the time, as you recall, that you would have received this?

A. Yes. If at all, it would have been back then.

Q. You don't believe you ever received anything such as this while you were assigned to the 11th Brigade or to A/3/1?

A. No.

Q. Am I correct then, from our conversation, that while you were with the 11th Brigade you received no instructions on constitution of a lawful order? I'm talking about instruction, a class being presented, or a briefing specifically on that subject, on the procedure for reporting atrocities, on the rules of engagement, or on the treatment of prisoners of war.

A. No, those were things we were to pick up by ourselves.

Q. All right. You assimilated this information then, whatever knowledge you did have or have now as a result of conducting operations and picking up bits and pieces. But to your knowledge, you never had any type of a formal or semi-formal class, either in Hawaii or in Vietnam, which laid out your responsibilities as an individual?

A. No, I didn't.



COL ARMSTRONG: Let's make a couple of hypothetical situations. I just want to see what your reaction is, so answer the way that you can. It hasn't anything to do with what actually happened anyway. Your platoon leader says to you as you're marching through a village, "Get that one." It's a woman who is marching towards you. Are you going to shoot her?

A. Well, I'd look at her first to see if she was armed or anything.

Q. Let's say it's an unarmed woman walking towards you.

A. No.

Q. Even if your platoon leader says, "Shoot them, MARCK, shoot her." What are you going to do?

A. There is no case like that in our company.

Q. I understand that, but what happens to you, as an American soldier, if your officer says shoot her?

A. Well, in that case, you know, it can't be carried out to extremes. Because if it does go to a higher, you can tell them the circumstances and he could be proven wrong.

Q. All right. You're saying you would refuse or you wouldn't refuse?

A. I would refuse.

Q. Now, there's something that trains you to say that you would refuse. Is this because of your civilian training that you received in your development as a youth in America, or is it what you were taught somewhere in the Army?

A. Well, I think it's just living among people. There was a case in Vietnam where we did shoot a 14-year-old girl, but she was armed.

Q. Oh, this is different. I'm not talking about a fighter or a warrior, I'm not talking about this. What I'm saying is would you obey an unlawful order that you recognize as an unlawful order?

A. No, I wouldn't.

Q. Do you have any feeling at all that this sort of thing could happen in your company, where an unlawful order would be issued and it would be obeyed?

A. No. It couldn't have happened in our company. People were too sensible. They knew it would be right or they wouldn't give an order like that.

Q. In other words, you have the confidence that your officers and your NCO's weren't about to give you this order?

A. Right. They wouldn't ask it.

Q. Let me ask you this. This could have happened. You see a couple of your buddies abusing a prisoner. You are the company commander's RTO. No officer or any senior NCO's are around. What are you going to do about it? These are your friends.

A. It all depends on the circumstances around that day, as long as it isn't carried to extremes.

Q. They are teasing this guy, and one of them is about to take a cigarette and put it out on the cheek of his face.

A. No, I couldn't see that.

Q. What would you do?

A. Well, I'd probably go tell any officer that was around.

Q. No officers are around. What are you going to do?

A. I'd tell a sergeant who has more rank than be because I know--

A. (Interposing) Suppose this is a sergeant?

A. Well, it couldn't be the sergeant in charge.

Q. Suppose it's one of the sergeants, and you see him start to do this. There is nobody to turn to. Now this can happen.

A. It probably has before. In a case like this, I'd probably tell him that....

Q. Do you think, or would you like to feel that you could say to cut it out?

A. Oh, yes, I think I could.

Q. You might not, but you like to think that you would?

A. Yes.

Q. You as a soldier in the United States Army would be required to do this. Do you know that? You would be required to take action to stop the abuse of a prisoner by anyone. This is one of your military duties, even though it's a senior doing the abusing of the prisoner. Now, I want you to know that this is really the policy.

A. Well, I didn't know that.

Q. It's not only the policy, but it's your definite responsibility to disobey an illegal order. Particularly when it encompassed abuse, committing a war crime, a crime against humanity, or violating well-known policies. It's your duty to refuse to obey that kind of order.

Thank you a lot for coming in, Mr. MARCK. Now, I'd like to point out to you again that we can't tell you not to talk about this, but if you recall the instructions, we request that you not talk about what went on in here with anyone.

A. All right.

Q. This is to protect the validity of the information that we do get, and one small fashion may be way out of proportion to what's really going on. If any official body of investigators, whether it be administrative, judicial, or legislative, asks you to come and testify or comes and takes a statement from you, your being here doesn't stop this, and the request I made does not apply there. But anybody else, particularly anybody else who might have been called here as a witness, we'd prefer you not talk about it. I want to thank you very much. Now, it's quite possible that you might, on your way back home for instance, think of something. If you do, will you please get hold of Major COOP or myself. Major COOP will give you the information how to do this. Call us, and we will be very happy to take down the information. We'd appreciate your doing this. If you happen by chance to have some photographs or some papers or letters that you wrote home to your mother or your wife or something like this, if you read them over and this again sparks your memory, please tell us about it. Pictures we would like to have. We would reproduce them quickly and get them right back to you, the original. We also give everybody an opportunity to ask questions of us or to make a statement if they wish, and I give you this opportunity right now.

A. I have no statement.

Q. Well, again, we appreciate your cooperation. You don't realize how much you know, and you don't know how much you confirmed. You did real well. You've been very, very helpful and we appreciate it. Thank you very much.

(The hearing recessed at 1632 hours, 18 February 1970.)

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SUMMARY OF TESTIMONY

WITNESS: RAVENCRAFT, Kenner F. SFC

DATE OF TESTIMONY: 10 February 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: Platoon Sergeant,  
Mortar Platoon, A/3/1.

The witness remained at LZ Dottie with the mortar platoon during the operation in issue (pg. 4). He recalled flying to Chu Lai to identify the body of a man killed during a night attack (pg. 7). Prior to the operation he knew his company would be in a blocking position; after the operation he recalled no reports of activity or any body count from his company (pgs. 8, 9). He did recall C Company or artillery reporting "quite a few kills" (pg. 9). He heard no reports or rumors of any unnecessary killings or other incidents during this operation (pg. 10).

EXHIBITS

EXHIBIT NUMBER	DESCRIPTION	NOTES	PAGES
M-81	Instructions to witness	Read by witness.	1
MAP-5	Map 6739 II (small scale)	Wit oriented.	6

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(The hearing reconvened at 1055 hours, 10 February 1970.)

COL ARMSTRONG: The hearing will come to order.

RCDR: The following persons are present: COL ARMSTRONG, and MAJ COOP.

The next witness is Sergeant First Class Kenner F. RAVENCRAFT.

(SFC RAVENCRAFT was called as a witness, was sworn, and testified as follows:)

Will you state your full name, grade, Social Security number, branch of service, organization, and station?

A. Sergeant First Class Kenner Frank RAVENCRAFT, E-7, The United States Army Marksmanship Training Unit, Fort Benning, Georgia,

COL ARMSTRONG: Sergeant RAVENCRAFT, I am Colonel ARMSTRONG, and I have been designated by the Office of the Chief of Staff to assist General PEERS in this inquiry. There are other such groups taking testimony from other witnesses in this inquiry. General PEERS, himself is the only one who is responsible for weighing all the testimony, putting the report together, and coming to conclusions and recommendations.

Do you understand, or have you read the instructions (Exhibit M-81)?

A. Yes, sir.

Q. Do you understand them?

A. Yes, sir.

Q. Do you have any questions about them?

A. No, sir.

Q. I would like to emphasize that when you leave here, you are not to discuss this with anyone about any of the testimony that you have talked about, whether it is another witness,

whether it is anyone else?

A. Yes, sir.

Q. Would you explain what your duties and functions were in A/3/1 from the time you joined the company until you left it, giving the dates of joining and leaving?

A. Sir, I joined A Company, it was October the 22nd, I think, 1967, and from there we went to Vietnam. This was in Hawaii. I remained with A Company until it was somewhere along the latter part of March that I went from A Company to the S2, 3/1. I was the platoon sergeant for the A/3/1, mortar platoon.

Q. What about the latter part of March in 1968?

A. Yes, sir. It was either right at the latter part of March, or the first part of April. I don't remember the exact date.

Q. How long were you at the S2 section of the battalion?

A. I was there about 6 or 7 months, sir, until I got ready to rotate.

Q. Since the My Lai incident has been reported on the press, on the TV, and on all the other news media that you can think of, since last fall, have you discussed anything with anyone connected with the Americal Division, or your unit, the units that were surrounding you? Have you discussed this with any individuals?

A. No, sir, not with any particular individual. When it first came up about the My Lai incident we were, just around the unit, just talking about what we heard, but nothing with anyone with the unit I was with, or anything because I haven't seen anyone, except Sergeant STEVENS, and he is in the same unit with me.

Q. And, what unit was Sergeant STEVENS'?

A. He was in the S2, sir, of Task Force Barker at the time I was in A Company.



Q. What was the extent of your conversation with Sergeant STEVENS?

A. Nothing more than we just talked about operations that day, sir. As far as I can remember, it was what company was where, and I believe that was it, sir. Just where each company was located that day.

Q. When did this conversation take place, sergeant?

A. That was back in January last year, sir, 1969.

Q. I mean since this news broke?

A. Oh, I'm sorry, sir. No, sir, I haven't talked with anyone of the incident that took place except like I say, at the unit there we were just talking about what was going to happen.

Q. But, you and Sergeant STEVENS saw each other a year ago?

A. Yes, sir. We both came back from Vietnam, and we were both stationed at Fort Benning. He was in another unit. I was in the Marksmanship Unit at the time. Now he's assigned to the Marksmanship Unit.

Q. What was it that brought this up as a subject?

A. I don't know, sir. We were just talking about this operation that we went on and a number of operations we went on. One of the operations we went on one of the companies got credit for either artillery, or got credit for a lot of kills. We were just trying to determine which company had the most.

Q. In other words, you were telling war stories, and you happened to mention this operation in connection with others and just pursuing conversation?

A. Yes, sir.

Q. Sergeant, I'm going to show you a map and explain the operation to you, operations of Task Force Barker during the period of 16 to 19 March 1968; and ask you if you recall the particular operation, the details of the operation, or

what details you might be able to recall about the total operation, and those things which you might have seen. I appreciate, first of all, that it has been almost 2 years and your memory is hazy. But, by walking through this, I hope to be able to give you a frame of reference that may jar your memory and come up with details. It has been our experience with some 350 witnesses that we've had on this investigation, a man doesn't realize how much he remembers. Hopefully we will get some information from you to fit in with other things. Now, in this process, I'm going to ask you to look at an updated roster of your company with the idea of trying to indicate who the key men were. I'm particularly interested with communications people within the company command group and then the platoon command groups. I don't know whether you were on this operation or not, but I have an idea you were.

A. No, sir. I was not.

Q. You were not out in the field?

A. No, sir.

Q. Do you have any idea where you were located?

A. Yes, sir. I was located on LZ Dottie. I was in the mortar platoon and we had a mission of close-in support with the fire base.

Q. I see. Well, you may have heard some things while you were back at LZ Dottie that are maybe more pertinent to General PEERS' total investigation that what A Company did. If so, we will examine that too. But, I would like you to go down this roster (not entered into evidence) and see if you can pinpoint the responsibilities of individuals. This roster is a regular morning report roster of, I think it's October 1967. It has been updated by the morning report sections in the AG's office. It is for 16 March. I will tell you right now, that I had Sergeant BRACY in yesterday, and of course, you know Sergeant WATANABE?

A. WATANABE, sir?

Q. Well, you'll be seeing him this afternoon. Sergeant BERGE will be in tomorrow. What I'm trying to do is get a line on who the key people were in the company out in the field

with the company during this operation. This is what I'd really like to get from you. Also, since you were back at Dottie during this Task Force Barker operation, I would like to talk to you about anything that you might have observed at Dottie on the 16th or the 17th, or anything you might have heard. I would like to point out to you that this is not a court, this is an inquiry. Therefore, we're not concerned so much about what you saw, particularly or necessarily, but really what you heard, what you might have seen, and what you might have recalled. We're trying to get an idea what went on. We're trying to piece together the bits and pieces. So, you may be of value from that standpoint. You will definitely be of value as far as the roster of the company is concerned. So, I'll give you the roster of the company and ask you to go down and look at that. Take your time. In fact, we'll have a short recess.

The hearing will recess.

(The hearing recessed at 1107 hours, 10 February 1970.)

(The hearing reconvened at 1122 hours, 10 February 1970.)

COL ARMSTRONG: The hearing will come to order.

RCDR: All persons present when the hearing recessed are again present.

COL ARMSTRONG: First of all, in the initial instructions I forgot to inform you that you may be called before some other legislative, administrative, or judicial body, or court, or board investigating this matter. Anything of an official nature like that you may discuss anything that you've said here with them. They have just as much a right to know what you know as we do. Do you understand that?

A. Yes, sir.

Q. Now, can you pick out from this roster those men that might have been with the company in the field that day of your mortar people?

A. Sir, it would be hard. I feel assured that Sergeant BERGE was out in the field.

Q. I know Sergeant BERGE was out in the field. Do you think he would be able to pick out the mortar men with more accuracy?

A. Yes, sir. He probably would, because I couldn't hardly keep him out of the field. He was constantly wanting to go out. I usually sent out from eight to twelve men from my platoon with the company headquarters. He probably would be able to pick them out better than I.

Q. There were no mortars along on this operation?

A. No, sir. My three mortars were on Dottie.

Q. All right. I give you a copy of the Special Orders 37 (not entered into evidence), Headquarters, Americal Division, 6 February 1968, paragraph 6, which awards the Combat Infantryman's Badge to certain members of A Company. At the top of this list are four officers. Would you see if you can identify which of those four officers was still in the company about the middle of March, if any?

A. Sir, I think Lieutenant LUNDEEN was still in the company. Lieutenant BOYLE, I believe he got hit prior to that operation. Lieutenant COKER I believe was in the company and Lieutenant WHITE was at that time.

Q. That's fine, thank you. Now, sergeant, if you will focus your attention on this map, I will try to outline for you the operations of Task Force Barker as they pertain to operations from 16 through 18 March 1968 in what was known as the Pinkville area.

(COL ARMSTRONG orients the witness to events on Exhibit MAP-5.)

Do you remember this?

A. Well, was this the operation on the night of the sapper attack, sir?

Q. Yes.

A. But, how they moved, I don't know. I do know that Sergeant BRACY and myself went to Chu Lai to identify one of the bodies of the night sapper attack.

Q. Did you pick up the bodies and take them to Chu Lai?

A. No, sir. We got word, I think it was, the next day, if I remember correctly, the next day--

Q. (Interposing) That would be the 18th?

A. It was after the incident that night. It seemed to me there was a day lapse there sir, but I'm not sure. But, anyway, we flew to Chu Lai on a chopper and identified the body. It seemed to me that there was only one man.

Q. May I say that Sergeant BRACY the next day after the attack actually flew into the company position and picked up the bodies and took them to Chu Lai. Now, the next day, you could very well have gone to Chu Lai with him if there was question of identification of one of the bodies.

A. Yes, sir. It was the identification of one man. I'm pretty sure he and I just flew up.

Q. He could have just as well gone up on the previous day and escorted the body.

A. Yes, sir.

Q. Do you recall any reporting of VC body count that your company had on this operation by any chance?

A. No, sir, not of our company.

Q. Now, I don't necessarily mean in the Pinkville operation, the Pinkville fighting.

A. On that particular day I don't remember any body count that our company had. The thing that I remember, sir, is that I knew--Sergeant BRACY and myself knew that A Company was going into a blocking position for an operation. After they got into blocking position, it seemed like they moved out at night, or either that or early in the morning, and went into a blocking position prior to the operation. But then, after that, I don't know where they went. Whether they went back to Upright, or whether they stayed out on maneuvers.

Q. Well, to help refresh you, they did stay out on maneuvers.

A. What I was trying to think of sir, is, I joined the company on an operation, but I don't think it was this particular time. It had to be prior to this, because Captain TRINKLE was still company commander when I joined them. So, it had to be prior to that.

Q. Well, Captain RIGGS was commanding the company at the time.

A. Yes, sir. Captain SHELTON took over after Captain TRINKLE. He got wounded from sniper fire, and Captain RIGGS took over.

Q. It might help you to know that the company came off after maneuvering around, as you expressed it, and went back to LZ Dottie with the company and two platoons, and one platoon into Uptight. The following day, the platoon at Uptight came into Dottie. The following day after that, the company returned to the battalion. So, this was the last operation that the company participated in with Task Force Barker.

A. Well, sir, I didn't return to the battalion with the company. I went back to S2 prior.

Q. You went to S2 of the battalion?

A. Prior to us leaving Dottie, or the company leaving Dottie.

Q. Well, it couldn't have been much more than a couple of days.

A. It had to have been just a few days.

Q. Because there was a lapse of about 10 days between the time of this operation and the company returned to the battalion. And, except for the last 2 to 3 days, the company was out on the operation. I don't know if this can really jog your memory or not.

A. Well, if I would have been out with them, sir, I'm sure that I would have remembered it. But, I wasn't there with the company.

Q. All right. Let's go back to the time frame now when the operation was planned and you knew and Sergeant BRACY knew that the company was going into position, into a blocking position for the operation. That should pretty well fix it in your mind. You were there at Dottie?

A. Yes, sir.

Q. Now, do you recall any reports of how that operation was going, getting to you at Dottie? Or, anything at all about it?

A. Sir, I can't be sure. It seems to me as though Sergeant BRACY told me that the company would be going into a blocking position. I mean, I'm not sure.

Q. I'm not really talking about your company now. I'm thinking about you there at Dottie as a part of Task Force Barker, and thinking about the other two companies. Did you hear anything unusual at all about the way they conducted their operation?

A. The way they conducted it?

Q. Yes. About any unnecessary shooting of unarmed civilians, women and children. Let's phrase this just a little bit differently. When this news was reported in the news last fall, and I knew it practically blew the ceiling off Fort Benning, what was your reaction to this? What did you think? How did you personally feel about this?

A. I thought somebody was a little bit crazy, sir, to even make up something like that. I couldn't feel that anyone in the United States Army could do anything like that.

Q. In other words, this was more or less a shock to you?

A. Yes, sir. It was.

Q. You had no concept or heard any rumors at all that anything like this had ever happened?

A. No, sir. I didn't hear anyone say anything about unnecessary killings. I did know that it was either C Company or artillery, or something, had gotten credit for quite a few kills on that particular operation. Other than that we just took it for granted that they made a big hit.

Q. You never heard anywhere that in the body count many of them represented women and children?

A. No, sir.

Q. And, old men?

A. No, sir.

Q. Did you ever hear any rumors about one of the pilots out of the aero-scout platoon actually training his guns on U.S. soldiers?

A. No, sir.

Q. Trying to stop them from doing anything like this?

A. No, sir. That is the first I heard of it, right there, sir.

Q. This has been in the papers, too.

A. After that started, I kept on looking for a while, but then I would just quit messing with it. The only thing that I heard on the news when it first started, it seemed to me like there was a major or something that was in an aircraft that said something about this unnecessary killing, or something or other that he reported when the first news started here. I don't know if it's a major or warrant officer.

Q. It was a warrant officer.

A. That's the first I had heard of it.

Q. Was it your feeling that people were lax in where they were firing?

A. No, sir. Well, when I was out in the field, sir we pretty well knew where we were shooting. We just didn't shoot into anyplace. If we received fire, we returned it. But, just to go out and shoot up an area, we didn't do that.

Q. Well, Sergeant RAVENCRAFT, I want to thank you for coming in. This seems to be a short interview for a long trip. We're leaving no stones unturned trying to get every last bit of detail as to what went on in that area on that day. I would like to remind you again that you are not to discuss



this with anybody except official bodies investigating it, such as legislative, judicial or administrative. I would like to ask you if you can think of anything later on, because this discussion on the map and this discussion that you had with me may jar your memory; you may recall some rumors that were floating around; if you do, please get in touch with us. Don't hesitate.

Now, at this time, do you have any questions, or would you like to make any statement for the record?

A. No, sir. I don't have anything. As far as I can remember is what I told you. Of names, I could be wrong on some of the names.

Q. I understand that, but I thank you very much. This will give us leads into perhaps other people who were right on the ground and can give me details on it.

One more question. Sergeant WATANABE?

A. Yes, sir.

Q. Do you recall where he was during this day, or this operation?

A. It seems to me that he was with the platoon, sir. At that time when I was there, I was mortar platoon sergeant. When I left, he took over as platoon sergeant. He was the 3d Platoon sergeant at the time of this operation. Like I said, they moved out from Uptight now, and as far as I know, he was with the company. But, it is possible that he could have been on Uptight.

COL ARMSTRONG: All right. The hearing will recess.

(The hearing recessed at 1145 hours, 10 February 1970.)

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SUMMARY OF TESTIMONY

WITNESS: RIGGS, William C.

DATE OF TESTIMONY: 20 December 1969

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: Commanding Officer,  
A/3/1.

1. PRIOR TRAINING IN RULES OF LAND WARFARE.

Witness stated that while he was assigned with Task Force Barker, there was a great deal of emphasis on not hurting civilians. Lieutenant Colonel FRANKLIN did not believe in burning villages and it was not permitted (pg. 32). If BARKER had told MEDINA to burn a village, it would have made an impression on his mind (pg. 33). He never heard of an order in the Americal to kill livestock and burn hootches (pg. 33).

2. PREOPERATIONAL PLANS AND BRIEFINGS.

a. Operational briefing.

On 15 March, the unit commanders were assembled at a briefing at which the witness was present (pg. 3). C Company and B Company would attack from the south or southwest and his company, A/3/1, would be deployed to the north along the river in a blocking force (pg. 4). The intelligence information indicated that the village was heavily defended. They expected maximum resistance. He thought there was a hard-core VC unit operating in that particular area (pg. 4). It was brought out that most of the women and children would be gone to market (pgs. 4,5), but he did not recall that only VC would be in the village (pg. 5). The intelligence briefing was given by Captain KOTOUC, the S2 (pg. 5). Witness did not feel that anyone

said, "You go in there and level the place" (pgs. 5,6). He recalled that there was to be a five minute artillery prep, which was not an unduly large one (pg. 6). He was not sure that he was issued an overlay with a frag order, but stated that it was generally the policy (pgs. 37, 38).

b. HENDERSON's briefing.

The witness did not recall attending a briefing given by the brigade commander, Colonel HENDERSON (pgs. 5, 6), nor does he remember HENDERSON being there (pg. 35).

c. Aerial recon with Colonel BARKER.

He stated that when the briefing was concluded, he made an aerial reconnaissance with BARKER and the other two company commanders, MEDINA and MICHLES, during which BARKER pointed out areas of interest to each of them (pg.7). He did not hear a discussion between BARKER and MEDINA concerning what was to be done in the village, because the doors were open and he did not have an intercom. BARKER would lean over and yell directly into his ear to address him (pg. 8). He did not hear BARKER give any special instructions to MICHLES (pg. 8). He did not recall in what order they were dropped off after the recon at their units (pg. 9), nor did he recall Captain GAMBLE being present on the flight (pg. 9).

3. ASSAULT ON MY LAI.

a. Unit activities on 15 March.

His company moved into a night bivouac site on 15 March in order to be in position when the operation started (pg. 10). He located the company at grid 721818 on Exhibit MAP-1 which was approximately a kilometer north of their positions occupied on 16 March (pg. 22). The position was set up to be close enough to allow early movement into position and far away enough not to give anything away (pg. 22).

b. Unit activities on 16 March.

Each platoon moved out individually in the dark in order to be in position by first light (pg. 23). They spent the entire time in the blocking position that day (pg. 24), and they retained their position throughout the

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the night (pg. 24). He did not recall the unit being shot at by the enemy or any significant action on 16 March (pgs. 10, 11). The company did not go closer than 1000 meters to My Lai (4) (pg. 20). He did not see any movement of VC or of civilians into his area (pgs. 10, 11). He felt that he monitored his radio closely while the operation was going on, but did not recall the division commander coming on the battalion net at any time (pg. 32), and felt that if the division commander had countermanded an order of Major CALHOUN's he would have remembered it (pg. 31). He did not recall an order for MEDINA to move back into the area of My Lai (4) to count some bodies (pg. 32). He stated that CALHOUN would usually use the battalion net to contact a company commander (pg. 32).

c. Unit activities on 17, 18, and 19 March.

Reference is made to Exhibit M-6, indicating that at 2115 hours, 17 March, the unit reported receiving incoming mortar rounds and a small ground attack from the east or southeast and reported two KIA and five WIA at coordinates 714804 (pgs. 11, 12). He did not recall a sapper attack (pg. 13). He stated that the attack, as he remembered it, took place south of the river which meant that the unit must have crossed the bridge on 17 March (pg. 27). He recalled a machinegun position being set up on a bluff a little higher than the surrounding rice paddy (pg. 27). After the position was approved, Sergeant BRANHAM moved the weapon away from the edge, cutting down on his observation (pg. 28). Early in the morning, they heard a number of explosions. It was originally reported as mortar fire and casualties were reported; however, he still feels that the attack was at two or three o'clock in the morning and not at 2115 as reported in the log (pg. 28). He did not recall forces from C/1/20 moving into the area of his first platoon on 18 March (pg.14). He did not recall talking to Captain MEDINA at that time (pg. 14). He did recall a radio transmission from Captain MICHLES indicating that his unit was moving along the narrow peninsula portion swinging to the northeast and recalled that they received a mortar attack on the night of 18 March (pg.15). He stated that it is possible that the first platoon was the security for the LZ from which Charlie Company was lifted out of the area (pg. 25). He felt that they may have crossed the bridge on the 18th (pgs. 25-27). If the unit remained to secure the LZ for C Company's lift off it would explain why they crossed the bridge so late on the 18th

(pg. 27). He felt that the Task Force Barker operation was over on the 19th of March. At that time, they moved about two kilometers north of My Lai and operated independently in their usual manner (pg. 30), which would include search and destroy, ambush, or a combination (pg. 30). He stated that he did not recall being on a rice detail operation (pg. 17).

#### 4. INQUIRIES CONCERNING THE ASSAULT.

The witness did not recall ever talking to anyone about the incident, ever making a statement under oath or preparing a signed statement, or even being aware of the investigation until it was in the newspapers (pg. 15). He stated he did have an idea that the ratio of body count to weapons captured was well out of line. He did not recall the figures but he stated he had the impression that either the VC retrieved their weapons from the dead or that they were not well armed (pg. 16). He felt that anyone should have been suspicious of the figures (pg. 16). He did not ever mention this to Captain MEDINA because he never saw him after the operation was completed (pg. 17).

#### 6. OTHER INFORMATION.

a. The witness was the commanding officer of A/3/1 from the end of February until July (pg. 3).

b. He stated that the commanders were fired up to go on the operation and that there was an extraordinary degree of tension (pg. 6). He stated that his men were tensed up (pg. 7), mostly on the basis of the reputation of the Pinkville area, because the unit's two prior company commanders were wounded in that area (pg. 23).

c. He understood that MEDINA was known as "Madman" not as "Mad Dog", a fact which he learned from his men. He did not have any idea whether MEDINA conducted himself in an authorized manner because he did not have contact with MEDINA (pg. 18).

d. He felt that BARKER was a very competent officer (pg. 19), although, he usually worked with the S3 and did not often see the Colonel (pg. 20).

e. He stated that they carried one or two mortars with them which would be adjusted by the 81 FO with a rifle platoon. He did not recall having fired any (pg.33). He also stated that he did not recall the gunships "blazing away at someone." He stated that they usually would only shoot that way while testing their weapons in the ocean (pg. 34).

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EXHIBITS

EXHIBIT NUMBER	DESCRIPTION	NOTES	PAGES
M-6	Americal Log	Entry on 17 March for small ground attack and grid coordinates.	11
MAP-1	Map 6739 II	Referred to the show areas mentioned on aerial recon with BARKER and AO on 17 Mar. Gives coordinates for unit location on 15 March.	7 13 22

(The hearing reconvened at 1634 hours, 20 December 1969.)

IO: The hearing will come to order.

RCDR: The following named persons are present: LTG PEERS, MR MACCRATE, MR WALSH, COL MILLER, COL FRANKLIN, LTC MAHAFFEY, MAJ ZYCHOWSKI, and MAJ LYNN.

The next witness is Mr. William C. RIGGS.

(MR RIGGS was called as a witness, was sworn, and testified as follows:)

For the record, Mr. RIGGS, please state your full name, Social Security number, and address?

A. My name is William Clifton RIGGS. My Social Security number is . My address is 3304 Westover, Midland, Texas.

IO: Mr. RIGGS, before we proceed with the questioning, I'll ask Colonel MILLER, from the Office of the Judge Advocate General, if he would advise you concerning certain matters.

COL MILLER: Mr. RIGGS, this investigation was directed jointly by the Secretary of the Army and the Chief of Staff of the Army for the purpose of determining facts and making findings and recommendations in two major areas:

(1) the adequacy of prior investigations and inquiries, and the subsequent reports and reviews within the chain of command, of what we now commonly call the My Lai incident of 16 March 1968, and

(2) the possible suppression of information by any person who had a duty to report and furnish information concerning that My Lai incident.

This investigation is not conducted primarily for the purpose of investigating all the facts and circumstances of what happened at My Lai on the 16th to the 18th of March, 1968.

(RIGGS)

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APP T-33



We will get into some of those matters, but the investigation is for the two purposes that I just mentioned.

We have had made available to us and have reviewed official statements made by many of the witnesses in prior investigations in this case.

Your testimony here today will be taken under oath. A verbatim record will be made. And in addition to the reporter, there is a tape recording being made.

The general classification of our report will be confidential. However, it is possible that the testimony, either all of it or parts of it, may become public knowledge at some later time.

You see a number of people sitting here. I want to explain their function very briefly. First, directly in front of you is General PEERS, who is the Investigating Officer and who has the sole responsibility, finally, of weighing the evidence and making findings and recommendations in this matter. On his immediate left is Mr. MACCRATE. On your left is Mr. WALSH. Both of them are civilian attorneys who have been made available by the Secretary of the Army to assist and counsel General PEERS. A civilian may come in here in a few minutes. He is Mr. WEST, who is deputy to General PEERS and comes from the Office of the General Counsel of the Army. To your far left, Colonel FRANKLIN, Colonel MAHAFFEY, Major ZYCHOWSKI, and myself. Now, a number of us may ask questions of you today.

Finally, we request that you not discuss the testimony you hear in this investigation with others, including other witnesses who have been or who may be called before the investigation, except as you may be required to do before a competent administrative, legislative, or judicial body or forum.

Have you been notified in any way that you are subject to the order of the military judge in the general court-martial case of United States v. Calley?

A. No, sir.

IO: Mr. RIGGS, what was your duty on the 16th of March, 1968?

A. I was the company commander of A/3/1.

Q. How long had you been in that capacity?

A. At that particular time, maybe about two and a half to three weeks. It seems like I took over about the end of February.

Q. Who did you take over from then? Captain TRINKLE?

A. No, sir. Captain TRINKLE was one of the first, and there was another captain from the 1/23, Jerry something. I can't recall his name. I think he lasted about a week, and he got wounded, and then I took over.

Q. How long did you last?

A. Oh, I stayed with the company until July.

Q. Since the word of the My Lai incident of 16 March 1968 was brought to the foreground in the news and television and so forth, have you had any talks with anybody from Task Force Barker or from the Americal Division or from the brigade concerning this incident?

A. No, sir.

Q. Have you, maybe, written any letters or exchanged correspondence of any kind?

A. No, sir.

Q. On the day before the operation took place, Mr. RIGGS, we are under the impression that the unit commanders were assembled and issued a task force order. Were you present at that?

A. Yes, sir, I was.

Q. Can you tell us about this briefing and the issuance of the instructions and so on?

A. Well, this is to the best of my memory, of course, sir. This was quite some time ago. The unit commanders were present. The basic idea was that Company C and Company B would attack generally from the south or southwest, I believe, and my company would be deployed to the north along the river in a blocking force. The intelligence was such that we were --our intelligence information at that particular time was that the village was heavily defended and that they expected maximum resistance. If there are any other particulars, I'm not--I expect that is about all I can recall.

Q. I can fill you in on it. I would also understand that preceding the operational briefing, you had an intelligence briefing?

A. Yes, sir, I feel that we did, the best I can remember.

Q. You indicated that the Local Force Battalion was going to be in the area?

A. I don't recall exactly. It seemed like there was a local VC hard-core--I guess what we called a hard-core VC unit was going to be defending in this area. Not necessarily defending it, but that they were operating in this particular area, sir.

Q. With respect to the village, the hamlet of My Lai (4) itself, was there any discussion concerning the civilian population that you can recall?

A. Nothing. Not that I can recall. There was nothing.

Q. To refresh your memory again, did you hear anything to the effect that the civilian population would probably be gone to market before 7 o'clock, and the village would be free?

A. Yes, sir. I believe this was brought up, that these people had a little distance to go to get to the local market. You know, where most of the daily trading took place. Now, I believe this was brought out that most of the women,

ladies, the kids, and those people who go on these expeditions every day; that they would all be gone.

Q. Was there any indication that with them gone everything that remained in there will be VC?

A. Not to the best of my memory, no, sir.

Q. It didn't make that impression on you?

A. Well, I'd say the impression it had upon me was to, you know, that a maximum resistance could be expected.

Q. As far as the VC was concerned?

A. As far as the VC in the area, yes, sir.

IO: Do we have any questions concerning the intelligence aspect of this?

COL FRANKLIN: Who gave it, sir?

A. The intelligence?

(COL FRANKLIN nods affirmatively.)

Captain KOTOUC, sir. I think his name was Captain KOTOUC. I think he was the S2 there at battalion headquarters.

IO: With respect to the operational aspects of the briefing, you remember what the S3 said and what Colonel BARKER said about getting into this village and cleaning it out?

A. No, sir. Like I say, sir, basically, all that I can recall is that there would be heavy resistance. And I think they brought the point out that this was based on the intelligence information. As far as actually wiping it out, as such, I don't think that this was ever, you know, just come right out and say: "You go in there and level the place." No, sir.

Q. Before this briefing took place, the operational briefing, did you attend another briefing which was addressed by the brigade commander, the new brigade commander, Colonel HENDERSON?

A. No, sir, I don't think so. Not that I can recall.

Q. In the operational briefing itself, did you hear anything about the C/1/20 aspect of the operation? Did you hear anything about cleaning the place, burn the hootches, destroy the bunkers, and kill livestock?

A. No, sir. Not to my memory, I didn't. I don't think it was said at all, but if it was, I don't recall it, sir.

Q. Did you hear any statement to the effect that we are going in and clean that place out once and for all?

A. Well, probably, I can't specifically -- this was the general tone, I believe, of the operation, sir. For it had been a continuing sore spot in the AO, and the operation was planned as such to eliminate it as a problem source.

Q. Do you remember hearing any discussion concerning the artillery prep? Where it would be located?

A. No, sir. I recall that there was to be an artillery prep of maybe 5 minutes, something like that, but--

Q. (Interposing) Not an unduly large artillery prep then?

A. No, sir.

Q. What seemed to be the attitude of the commanders at that time as you recall?

A. Well, they were fired up. Ready to go.

Q. Any extraordinary degree of tension or apprehension?

A. Yes, sir. There most definitely was. Pinkville, as it was known, had been, like I say, a source of a lot of casualties for all the companies, and I think it was the kind of place that you got where you -- when you operated a certain AO, there were places you went where you carried a little more ammunition because you felt like you might, you know--

well, you had good reason to feel like you would encounter more resistance. And I'd say in this respect, sir, this operation definitely qualifies in that aspect. The men were tensed up, yes, sir. For as I say, they had been there before, and they got stung. So they were psyched up pretty good, yes, sir.

Q. We understand, Mr. RIGGS, that when this briefing was concluded, Colonel BARKER took the company commanders and his artillery liaison officer and made a recon of the area. Did you accompany him on that reconnaissance?

A. Let's see--

Q. (Interposing) You flew out, of course--that is a blow up there, Mr. RIGGS (referring to Exhibit MAP-1)--out of LZ Dottie down toward the south near Quang Ngai.

A. Yes, sir.

Q. Then over toward My Lai (5).

A. I remember now. We did make an aerial reconnaissance, and Colonel BARKER, of course, was showing the other two company commanders where they would be going in, and he pointed out the specific areas to me, as the blocking company, that he wanted to insure that I had covered. For instance, the bridge right off of the yellow AO portion for A/3/12 (indicating on Exhibit MAP-1).

Q. Would you point out this bridge for me? I've heard it mentioned several times.

A. Yes, sir. This is it right here (indicating). This was an area -- if anybody -- this was fairly decent. This was rice paddies. And this was a high, dry highway, I think. He wanted to make sure that I had people in here to cover this area. The bridge, or dike--I'm not real sure now--it seems like it was built up, not a wooden type, but built up dirt. We flew out of Dottie and took a look around, and, like I say, the main deal was to show Captain MEDINA and Captain MICHLES where their companies would be going in and what the area looked like and to show me a couple of areas that he wanted

to insure that I had covered. Especially I remember this one right here, for, like I say, this was fairly deep in water, and this river is not real big, but it's almost up to here (indicating about chest deep).

Q. You might call that the bridge across from the My Lai village, across the Diem Diem River, then?

A. Yes, sir.

Q. Now when you were flying down to the south of My Lai (4) and looking at that area did you hear any discussion by Colonel BARKER, between Colonel BARKER and Captain MEDINA concerning what he was to do in that village?

A. No, sir.

Q. Were the doors on this chopper opened or closed?

A. I think they were open. It is kind of hazy in my mind, but I don't recall ever having flown in one with them on.

Q. Did it have an intercom?

A. No, sir. I do recall that it did not have an intercom, sir.

Q. So you would have to get pretty close to him to hear what was going on then?

A. Yes, sir, like when he told me, he got over and kind of, you know, talked right into my ear with his hands, you know. You know how the noise is in a helicopter. Anything he might have said to the other two captains I did not hear, or to the artillery liaison officer.

Q. Did you hear him give any special instructions to Captain MICHLES, the company commander of B/4/3?

A. No, sir, I did not.

Q. After this recon, what happened then?

A. He dropped us -- he dropped me back with my unit. I don't recall in what order he let us out. I think Captain MEDINA's unit was at Dottie, but I'm not real sure. I think they were at LZ Dottie, and we were out. I don't believe we were on an LZ. I believe we were out operating, and we moved into position, because I don't remember moving off of the LZ called Uptight the next morning. We may have, but I don't recall.

Q. Well, I also understand that he took Captain GAMBLE back to Uptight, so perhaps he--

A. (Interposing) The artillery battery commander?

Q. The artillery battery commander. So it would be very logical that the both of you went back to Uptight at the same time.

A. Yes, sir, it could be. I don't recall.

Q. On this map (indicating Exhibit MAP-1) would you explain your operation and how you moved into position and what you did during the course of the operation?

A. Well basically, I had my three rifle platoons pretty much deployed like this, I guess (indicating the location as shown on Exhibit MAP-1). It's, like I say, it's a long time ago. It's hard to tell. This bridge here which we just talked about a while ago, we had it covered although there wasn't real importance placed on this particular one. This, I think, was -- let's see, this would have been about -- I think this was the 1st Platoon.

Q. The 1st Platoon on the east?

A. Yes, and I'm not positive. I'm having to think. This was the 2d, I'm almost positive (indicating). And these were the 1st and 3d. I believe this was the 3d. No, let's see. I'm trying to get my platoons in line here.

Q. Well, for our purposes, I think it doesn't make too much difference.

A. All right. But this is pretty much as we were deployed with my company CP--



Q. (Interposing) How did the troops move into position?

A. In what respect, sir?

Q. Were they air assaulted in? Did they move in over land or what? How did you get them in?

A. We came in by foot, sir.

Q. By foot? When did you move in?

A. I'm not positive. I think we moved the night before. I think we moved down to a jumping off place so that we would be close enough to get in early enough to get in position when the operation started. Once again, my memory's not that good on this particular thing.

Q. Yes. You moved to a night bivouac site and then moved in probably right at daybreak then?

A. To the best of what I recall, I believe this is the way we did it, yes, sir.

Q. Yes.

A. We maintained these positions while the operation commenced.

Q. Did you encounter any difficulty on the 16th or on 17th?

A. As far as being shot at, no, sir. I think, the best I recall, we did have some casualties from booby traps. I think, in fact, I had maybe two or three men. I might have had a couple killed and three or four wounded. Once again, I'm not real sure, but as far as actual physical contact with any of the enemy, no, sir, we did not.

Q. When Charlie went into My Lai (4) and Bravo went to the south of My Lai (1), did you have movement of VC or people into your area?

A. No, sir, we did not.

Q. Nothing significant happened then on the 16th or the 17th?

A. No, sir. Sir, we didn't have the mass exodus, I guess you would call it, that they were expecting to take place, to the best of my memory. I don't recall anything, you know, a mass or huge amount of people.

COL FRANKLIN: Well, we have your log here, (Exhibit M-6) Captain RIGGS. How about the night of the 17th, mortar fire, do you recall that?

A. Well, this is what I was trying to think about a while ago. This was the day after or the day before, sir?

Q. This was the day after, about 2140 hours in the evening. You reported two killed and five wounded? Did that happen?

A. I don't recall that, no, sir.

IO: Is that C/1/20?

A. It is my unit.

COL FRANKLIN: It is according to the Americal Log.

A. I remember one night we had what we thought was a mortar attack, and we corrected it. It was mostly grenades, somewhere around the same period. In the same 2, 3, or 4-day period here. But it was later. It was about 3 o'clock in the morning, and it was not mortars as we had first reported, and I corrected that. The correction went in, to the best of my knowledge.

IO: Yes, the log of the Task Force Barker reads, "that at 2115, Alpha 6 reported receiving incoming 60 mm mortar rounds, received six or seven rounds, also small ground attack from east and southeast."

A. Right, sir.

Q. Reported two KIA and five WIA.

MR MACCRATE: That's KHA.

IO: Well, that's the same as KIA. Right?

A. Yes, sir.

Q. Killed by hostile action. The term KIA means killed in action and KHA means killed by hostile action. Two KHA's: GRENHAM, Lawrence, E-5; SEIVER, David H., E-3. WHA's: CRUZ, Frances X, E-5, shrapnel in hand and legs; DOUGLAS, Handy, -- I don't know what grade he is -- shrapnel in leg; LEISURE -- something -- E-4, shrapnel in arm, not evacuated; MCGUIRE, Wayne P., E-4, shrapnel in head and back; STILES, James L., E-3, shrapnel in head and legs. Then it says dustoff completed; gunships did not accompany dustoff. That was at 2245, 10:45. Let's see if it gives your location coordinates, night location. Just a minute and I'll give you your coordinates, I think.

A. All right, sir.

Q. A/3/1 CP and 81mm located at 714804.

A. What location was it in, approximately?

Q. It says CP and 81mm located at 714804.

A. No, sir, I don't -- was this the first night of the operation?

Q. No, this was the night of the 17th--wait a minute, wait a minute. It wouldn't have made any difference. It should have been the same thing. This is 01 -- no this is 2100 hours on the 17th. I'm talking here about 1900 hours on the 17th. That's the time that is cited.

MR MACCRATE: That is the second day of the operation.

IO: Yes.

A. That's why I'm trying to think back. It seems that after the -- as I remember, we went down and crossed this bridge.

Q. Yes.

A. And worked down in this part down in here (pointing to area on Exhibit MAP-1). Now down in here, sir, is when -- I think there's been a mistake made. The only time I remember -- I don't recall this mortar attack. I remember that we had an attack at night, a sapper attack, and we first reported it as mortar.

Q. Well, that is probably what this is. It should be corrected--

A. (Interposing) But it was not a mortar attack nor did it take place at 2100. This was 2 or 3 o'clock in the morning that this took place.

Q. Yes, well this one was reported at 2115. That would be 9:15 on the night of the 17th. Now they don't give the location. It could have been down in this area.

A. I'm not sure.

Q. Actually, you see, if you reported being across in that area at 1700 hours, you could have well been over in that area, probably were over in that area, because it was included in your night location. Well, I will have to come back and clean that one up, if you don't mind. Let's just forget about that and if you would, Colonel FRANKLIN, come back and get this as best you can. It is not really relevant to our discussion, but I think for the sake of our records, we want to get it as complete as we can.

COL FRANKLIN: Yes, sir.

IO: Now, on the 18th, sometime in the afternoon, it was indicated that C/1/20 was to be evacuated. They were to move up and across the river generally in your area and to be evacuated about where you have indicated, somewhere in the area of your 1st Platoon.

A. The eastern portion there?

Q. Your eastern platoon, that's right. This was thereby becoming almost an administrative move since your forces were

already in the area and were to remain in the area. As a matter of fact, we have the information, Mr. RIGGS, that they were sort of slipped out by CH-47, for example, lifting out 40 to 45 troops. Now, were you aware of this?

A. I'm sure I was, yes, sir, but I--

Q. (Interposing) Do you remember those forces coming up into your area?

A. No, sir, I do not. Not close enough that I ever saw them.

Q. Yes. Do you remember possibly talking to Captain MEDINA at that time?

A. No, sir, I don't think I did. I don't recall.

Q. Of course, if your headquarters was located on the western part, that's a long way across there, and your communication would have been not so much by foot as by the use of that radio. And you don't recall talking to Captain MEDINA or his units or his platoons?

A. No, sir.

Q. When did you culminate your portion of the operation, do you recall?

A. As far as the operation itself, I believe, I'm not real sure, but I believe at the time that we left those positions that are indicated, or approximately those positions, and crossed the bridge to the southwest portion area that I showed you that we crossed, I believe at that particular time is when we considered this coordinated effort to be done. Now, this is to the best of my memory.

Q. Well, we have information that on the 3rd day Bravo Company, which had been on the east in the area of My Lai (1), continued back up through My Lai (1) and on up into the area of, I believe it's An Ky, in this area (indicating). And they operated in there, I believe, a 4th day and maybe even a 5th day. Do you recall that?

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A. I recall, yes, sir, the radio transmissions of Captain MICHLES indicating that his unit was moving along the narrow peninsula portion there, swinging generally to the northeast.

Q. Evidently they received a mortar attack somewhere in there on the night of the 18th.

A. Yes, sir, that night. I believe I recall that.

Q. Well some of these things will fit back into place for you, I'm sure.

A. Yes, sir.

Q. After your operation terminated, did you move back to LZ Dottie or did you go back to Uptight?

A. I don't believe we did either, sir. I believe we stayed out and operated on our own for another period of a few days. I'm not real sure. The best I recall, we stayed out, and we operated down in the southern portion there where I've indicated, and then I think--

Q. (Interposing) Did you by chance move another 1,000 to 1,500 meters to the south and get into the village of My Lai (4)?

A. No, sir, I did not.

Q. After this operation was completed did you ever hear anything about an inquiry or investigation going on?

A. No, sir, I did not.

Q. Anybody ever come and talk to you?

A. No, sir.

Q. Did you ever make a statement under oath or prepare a signed statement?

A. No, sir.

Q. You were aware of no investigation--

A. (Interposing) Sir, the first I knew about this-- of any investigation--was after it had been in the papers. In fact, the first time I ever even realized that I knew anything at all about it was, say, after 2 or 3 weeks when

the name Pinkville showed up in the newspapers. And up until that time, I wasn't even aware that I was even remotely connected with this incident.

Q. Okay. Now there are always rumors and the old underground grapevine going on. Did you ever hear anything, now that you have heard about this, that might have caused you to be a little suspicious of anything that might have gone on in that area during that time?

A. Yes, sir.

Q. What did you hear?

A. It's not what I heard, it's what I thought, my own personal thoughts. And I have to say that I didn't have any reason to back them up other than, as I say, based on the information that we had when the operation started. It appeared to me that there was a fair amount of enemy contact that was supposed to have been made, or it was anticipated to be made, with heavily armed insurgents, if you want to call them that, that the body count and weapons captured ratio was pretty well out of line. Now I don't recall any figures. I just recall, you know, at that particular time I happened to hear something on the radio as to the number of weapons and the number of VC dead, and it either indicated that they got their weapons, you know, picked up from the dead left or they just weren't that well armed. I don't know.

Q. Well, the figures which I couldn't read to you out of the log, but I can give them to you, reported at the end of the day as 128 killed and 3 weapons captured, 2 friendly killed. Of the friendly, Charlie had, I think, there were 11 wounded; and of the friendly killed and wounded, Charlie had one man shot in the foot, called SIW, self-inflicted wound. So I think anybody would have been suspicious of the figures.

A. Yes, sir.

Q. Now you were suspicious of this. Was there ever any talk about this? How did you guys jibe with Charlie? Now you are a company commander, and there is a lot of competition going on between these company commanders: "How come

you guys get all this body count and don't pick up any weapons. What's the matter with you?"

A. I don't recall having seen Captain MEDINA, sir, after the operation.

Q. Yes.

A. Well, of course, I think it was only a matter of 2 or 3 weeks and the task force was disbanded. I went south and rejoined my battalion, and I think he went north to rejoin his. I'm not sure exactly where the 1/20 was. I do not recall. But to the best of my memory, I did not see Captain MEDINA after the operation nor did I see Captain MICHLES.

Q. Tell me something now, when this operation was over, you were supposed to go on a rice-denial operation. Did your unit go on a rice-denial operation? And did you break it up and spread it out in small detachments all over the area up around the rice bowl--up here a little further to the north (indicating)?

A. North of the river you mean, sir?

Q. Well, yes, it would be actually maybe another 5, 10, or maybe even 15 kilometers up the coast toward Chu Lai?

A. I can't be specific. I do recall an order, you know, of looking for the rice that had been hoarded and hid and stuff like this. And the best I recall it--

Q. (Interposing) It wasn't so much this--what this was, the people in the villages would go out to gather rice, and you would have this screen around the outside to protect them from the VC coming in to take the rice away from them.

A. Yes, sir, I know what you are talking about now. I don't remember an operation of that sort, no, sir. I have been on them, but not at that particular time that I remember.

COL FRANKLIN: Captain RIGGS, you remember having some ideas. Those ideas I wouldn't think would be formed from just one



bit of information. You probably had some ideas about C Company, or Captain MEDINA, or something else that fitted in with that report that you got. And I wish you would be very frank. What other thoughts, or experience, or feelings did you have that sort of led you to believe in this?

A. Well, in this particular incident, it was just sheer numbers. I mean the report. I heard the report go over the radio, and, let's face it, that is about it. As far as I knew about Captain MEDINA, I saw in the papers that he was called "Mad Dog," but I understood he was called "Mad Man" MEDINA. Now this is what some of my men told me. As far as actually having any contact with Captain MEDINA, whether he did anything in an unauthorized manner, or did not conduct himself in a manner becoming a captain, company commander, or an officer of the United States Army, no, sir, I did not.

Q. I would guess you were probably pretty close to your troops there, Captain RIGGS, and you would hear a lot of talk when you were out in the boonies. Did any of the A Company soldiers talk about this operation later on? You heard them talking even though you weren't around a lot, didn't you?

A. I know what you are talking about, and I did try to keep pretty close to my men and, you know, especially in this kind of situation to see what was on their mind. But as far as this ever having any specific incident that I can recall, no. See, we never got back together anywhere where they would have been in contact with any of the Charlie Company troops. Like I say, after this thing was over they went their way, and we went ours. We didn't come on any LZ at the same time, to the best of my memory, and my people had no--I had a little--my first sergeant and some people were back at LZ Dottie, but I don't recall any of those people having said anything either.

Q. A previous company commander has stated that he thought that some of the other outfits were pretty quick to shoot; they weren't too discriminatory when it came to using their weapons. Did you have any of this feeling at all?

A. Yes, sir, I did.

Q. Would you explain?

A. Well I--not about any specific unit, no, sir. I had a battalion commander we called FRANKLIN, who was not actually in command of me at this particular time. Colonel FRANKLIN went to war, you know, with the best of them, in fact, better than most, if I may say so. But he was very, very insistent. He left no doubt in your mind of what he expected of his commanders in contact, as to when to shoot and when not to shoot. I say this because I think this was true of our battalion more so than the other two.

Q. How about in Task Force Barker? Was it the same way with Colonel BARKER?

A. I don't recall ever having Colonel BARKER say it one way or the other.

Q. Did Colonel BARKER visit you a lot, come out to see you, talk to you a lot, see what's going on, give you guidance?

A. No, sir. Most of my information I got from the S3.

Q. You didn't see Colonel--how long were you under Colonel BARKER? From the last part of February until--

A. (Interposing) Until the task force dissolved--probably 3 weeks, 4 weeks. I think we went back south about the first part of April, the best I recall. We went down and took LZ Thunder.

Q. Do you feel that Colonel BARKER, and this is your opinion, had a real feel for what you were doing down in A Company? What your problems were? How your soldiers thought? What was going on in A Company?

A. Yes, sir, I'd say so. I felt like Colonel BARKER was a very competent officer. I thought a great deal of him, and I thought a great deal of his knowledge, and overall I feel like he was well qualified, yes, sir.

IO: If he never visited you, how did he ever find out how--

A. (Interposing) Well, I didn't say never, sir. Most of the time I did see the S3 more than the colonel. I don't recall. I mean I can't say how many times I saw Colonel BARKER. I saw him at Dottie maybe three or four times for a little briefing, or something like that, and he visited my company periodically, but mostly I've seen--

Q. (Interposing) Did he visit you during the course of this operation?

A. To the best of my knowledge, no, sir. Of the three, I was the least active, and I don't recall him having been in our area.

MR MACCRATE: How close did you come back to My Lai (4) in the course of your operation on the 17th or 18th?

A. Probably not within a 1,000 meters. Drawing from memory, 1,000 meters, I'm pretty sure.

Q. Of the three companies, your company was actually the closest to My Lai (4) following the operation on the 16th?

A. Well, yes, I guess we were, really.

Q. We had heard some indication--some people were talking about having someone else swing through My Lai (4) after the event, and it struck me as you were describing your position that you might have been the most convenient to the location?

A. No, sir. A Company did not move into My Lai (4), not this day.

Q. I realize that, you did not, but--

A. (Interposing) I don't recall any indication was ever given me swinging back through for another assessment or cleanup-type operation.

Q. We have no indication that anyone thought of your doing it either.

A. No, I--

Q. (Interposing) There was some talk about having Charlie Company do it and I--

A. (Interposing) I don't recall that, sir.

MR MACCRATE: I was interested in learning if you had been down in this specific location.

IO: Well, you have been quite helpful to us. We recognize your detachment from the operational area we are interested in, but you have been of assistance in corroborating some of the briefing and the way things were handled. So, as I have indicated, for the sake of the record, we do want to see if we can reconstruct the operation as best we can.

A. Yes, sir, I can understand that.

Q. I'm going to ask Colonel FRANKLIN to stay with you and develop that.

A. Okay, sir.

Q. As far as we are concerned, we are about to terminate your presentation to the hearing here. I would ask you if at any time in the future these details start falling back into place--I know we're talking about 20 to 21 months ago, you see. So now, you might say with the additional information that we've given you, which refreshes a lot of things, if any of these thoughts do come to mind again, please get in touch with us?

A. Yes, sir, I surely will.

Q. Also, if you find that amongst your papers that you have some memoranda or old maps, photos, or anything of this nature--

A. (Interposing) I looked before I came up here, sir, and I found nothing. I don't have anything.

Q. Well if such things do come to light, we'd be very happy to have them made available to us.

A. Yes, sir, All right, sir.

Q. Before we do conclude if you have any statements or any additional information which would help us in our purpose, we'd be delighted to have it.

A. No, sir, I do not.

IO: This hearing will recess at this time.

(The hearing recessed at 1725 hours, 20 December 1969.)

(The hearing reconvened at 1728 hours, 20 December 1969.)

COL FRANKLIN: This hearing will come to order.

RCDR: The following named persons are present: COL FRANKLIN, LTC MAHAFFEY, MAJ ZYCHOWSKI, and MAJ LYNN.

COL FRANKLIN: Captain RIGGS, we are going to try to trace what your company did day by day for the duration of the operation, which was terminated just about the 18th, perhaps the 19th of March, 1968. So try to think, if you can, where your company was on the 15th of March?

A. The night before?

Q. Yes, the night before.

A. I think we were right here, at 721818, something like that. Around this little hill mass marked 21 there (indicating on Exhibit MAP-1).

Q. In other words you were about a click to a click and a half north of the positions you occupied on the 16th?

A. I believe this is where we set up our night position here. It was far enough away from the area of the operation, you know, not to give anything away, and yet it was close enough so that as soon as first light, we could move into position. In fact, this was in the dark, moving before daylight, as I recall, because they had so much further to go (indicating the eastern-most platoon).

Q. Did you move out by company, or did each of the platoons move into their position?

A. Each platoon individually.

Q. Each platoon moved out individually. What had you been doing, say on the day before or 2 days before? What kind of mission had your company been on?

A. The best I recall, it was SD, search and destroy, in this area in here, (indicating) somewhere, I'm not too sure. It was in this area between LZ Uptight and this location here, to the best of my memory.

Q. Okay. You moved into position, and you were in position about what time?

A. Time-wise I do not recall. It was prior to touchdown on the LZ.

Q. How about being in position by first light? Would that sound--

A. (Interpsing) Without coming up with an hour, yes, that would do it.

Q. You say the troops were pretty well psyched up. Why were your troops psyched up? Because you are not really getting into the Pinkville area, where you--although you could get sniped at?

A. Reputation of the Pinkville more than anything else. The troops had operated--like I say, we didn't move into it actually, any of this area, but two company commanders prior to me were both wounded south of this river down in here; and my troops knew that this was, you know, a pretty tough area, and I think--I didn't intend to say that mine were up for this thing as much as the other two companies, but they were definitely more than average.

Q. Both of your predecessors had been wounded in the past several weeks in the Pinkville area?

A. South of this river here, down in this area here, yes, sir, to the best that I can recall. In fact, I think one of them was wounded on the bridge, coming across, and then the other one was down in here somewhere.

Q. Okay. Well, the day of the 16th then, did you spend that entire time just in that blocking position?

A. Yes, sir. This is the first day of the operation?

Q. Yes, the first day of the operation.

A. Yes, sir.

Q. Okay. The first night of the operation, where did you spend it?

A. I believe we retained our position throughout the night.

Q. Okay. Then what did you do the day of the 17th, the second day of the operation?

A. Seems like we maintained those positions for a period of time, I'm not real sure now, and then we moved down in this area here, but I'm not sure.

Q. Okay. We know on the 18th that Charlie Company came up in the area of My Lai (3), or your 1st Platoon position, and were hooked out of there to go back to Dottie. So do you think it's possible that you stayed there until at least the 18th? That would be the day of the operation, the next day, and the following day--3 days?

A. No.

Q. You don't think you did?

A. No. I don't think we stayed in that position for 3 days.

Q. To stay in one place for 3 days like that, would that be unusual for you?

A. Most definitely, sir. To stay in one place for 2 days was unusual. I never stayed in the same place over 1 night. The only reason we would have done so here would have been because of the operation itself. No, sir, I believe we moved into this location, as I said, early on the morning of

the 16th. I guess it was the first day. These dates are still not, you know, real up to snuff with me. And we might have stayed 2 nights, but I don't think we did. I think we moved out.

Q. Could you have stayed, say, 2 nights? Our indications are, on the 18th, that Charlie Company moved out fairly early in the day from a position secured by your troops, and then after Charlie was lifted out, your company moved out right after the lift out. Could that have been possible? Down across the bridge there into the area north of My Lai (4)?

A. In other words, this platoon here (indicating the eastern-most platoon) was more or less the security for the LZ. Is that what you are describing?

Q. Yes.

A. Well, yes, sir, based on the way we were deployed, it would definitely be possible, but I do not remember.

Q. You don't remember?

A. In fact, I didn't recall how Charlie Company left the area of this operation at all. I remember Bravo Company moving up in here, and I remember, after it was brought out, about the mortar attack that they had. But I do not recall.

Q. Okay. After you left that area where did you go?

A. I think we went down in this area in here. And I remember we crossed this bridge.

Q. And moved up in an area about a kilometer north of My Lai (4)?

A. Let's see, My Lai (4) here, it would be about in here?

Q. Yes.



A. It seems like I remember that night after we crossed we were close enough to this bridge that we could see it, we could observe it.

Q. The night that you crossed the bridge. That's probably the night of the 18th? Do you remember having all your platoons with you?

A. No.

Q. Did you normally operate with the whole company in together, or did you send platoons all over?

A. No, we operated spread out.

Q. Oh, you did operate spread out. So if you had left a platoon up there to secure the LZ for Charlie, and they were behind you a kilometer or so away, that would not have been unusual?

A. No.

Q. Okay. Okay, so probably then, the night of the 18th you just crossed the bridge there, which is north of My Lai (4). How did that relate now to the sapper attack you were talking about?

A. Well, I'm not sure that I've been talking about the same thing. This was fairly late in the evening when we went across this bridge now.

Q. Yes?

A. We did not move very far. Well, we went across this bridge and these little places, where these little hootches show here (indicating the black marks representing houses). They were pretty much deserted. Once again I say I operated pretty well spread out, and I had my platoons spread out, and they were searching these areas and seeing if we could find rice, weapons, or any indication of enemy activity. And when we regrouped at night, 98 percent of the time, unless we went on night patrol operations and things like that, but then we came back together. I don't know. We were pretty close to a church, so it might have been right in here (indicating the black mark representing a church).

Q. Right there. That's about a little less than a kilometer north of My Lai (4)?

A. North of My Lai (4).

Q. Okay. Your platoons were spread out during the day, but at night you would have your whole company back together?

A. Nearly always, except maybe, you know, for a small ambush or something like that.

Q. Now if you'd have layed around to secure C Company to get lifted out on the 18th, that would perhaps explain why you were sort of late in the day crossing that bridge north of My Lai (4)? Is this possible? Is this logical?

A. Both.

Q. Yeah. So you weren't too far south of the bridge there, and you got your company together, and then when did that sapper attack take place?

A. It seems to me that it was about 2 o'clock in the morning.

Q. You are sure it was south of the river?

A. Yes. I'm almost positive that it was, yes.

Q. Okay. What happened on that attack?

A. Well, I think one of the names that the general read awhile ago rang a bell after we got to talking about this, one of the sergeants. We had a position we had set up, and once again, I'm not sure that it's the day. I think, based on what we've talked about, I believe this is pretty well right. Right along with what we've talked about. And we had a machinegun position set up, and it was approved. The platoon leader had approved it, and I had approved it as being okay for the night. And it was set up on a bluff, not a bluff, but it was ground about as high as this table or maybe a little higher from the rice paddie. It was a little high ground, and it was out close enough to the edge where the man with the gun could see out into the water and the rice. And after it was set up, after the position was

set up and approved, this Sergeant BRANHAM, I think his name was, moved the gun. He pulled it back away from the edge, and he cut down on its observation, and, of course, we didn't realize this at the time. This all came about after this attack.

And it was pretty early in the morning, and all of a sudden there were, you know, a lot of explosions, you know, like incoming mortar fire. And I reported that I suspected it was mortar fire and that I had casualties. And I think this is the problem with the one, this is the call here, but it was not corrected, because six is about the right number, and I believe I did report that it was 60 mortar fire, not 81 or larger. But that time doesn't seem right. It may be, but it seems like it was 2 or 3 o'clock in the morning. I may be wrong.

Q. You're sure that it was south of the river?

A. Almost 100 percent sure, yes, sir.

Q. Okay. You didn't take two killed and five wounded so often that you wouldn't--this didn't happen every night?

A. No, sir.

Q. So it had to be early, because you normally didn't stay more than 1 night in a place, you might have stayed 2 nights here. That would mean the--

A. (Interposing) Up here you mean (indicating on Exhibit MAP-1)?

Q. Yes. So that would mean that the earliest that could have happened was the morning of the 18th, but more likely the morning of the 19th? In other words, regardless of when you moved across, if you spent the night of the 16th there, and you moved across the bridge on the 17th, the earliest this could have happened would have been the 18th? The early morning hours of the 18th?

A. The late evening hours, as it says here, on the 17th or early in the morning on the 18th.

Q. Or if you stayed up there 2 days, it would have been early in the morning of the 19th--18th, 19th? And you

don't recall the mission of securing a Lima Zulu for Charlie Company?

A. No, sir, I do not.

Q. Of course, this is really unusual to secure a Lima Zulu for a rifle company, is it not? You secure your own.

A. That's correct. We secure our own whenever we left an area. We performed our own security.

Q. You mean a rifle company could very early go in and secure an LZ, and the first unit that's out of there goes out on a hook, and you take the rest of them out on slicks?

LTC MAHAFFEY: I think that may be the point. As you recall, they were extracted by CH-47's, and I don't know if they also had slicks to pull any security element. It may very well have been the reason why they had to secure the LZ for them..

A. If this was strictly based on the policy, as I recall it, the hook company, the Americal Division or somebody, the SOP was that there had to be, if it was strictly a hook lift, there had to be troops on the ground when the last troops left out of there.

Q. Right.

A. But then in this case, if this was strictly a hook extraction, then that even makes more sense, but I cannot say that I recall one of my platoons did secure a LZ. I do not recall this.

COL FRANKLIN: Yes. Then all you can say is that you are quite sure that these casualties came south of the river, and it was not a mortar attack as originally reported, but sappers that came in?

A. Right, with hand grenades.

Q. Okay. When you were south of the river, did you consider then at this time--let's say this was either the 18th

or the 19th, early in the morning. As far as you were concerned, was this particular mission over? This particular --Task Force Barker, the coordinated attack?

A. Yes, sir.

Q. And you then would just be a--

A. (Interposing) In fact, I considered it was over when I crossed this bridge, to the best of what I recall. The other companies, Charlie had moved and Bravo had moved. Once again, that is based on a long time ago. I think if an investigation or something had been conducted right then, you know, there wouldn't be any now. But I never thought any more about this operation that much.

Q. And what do you recall doing after you crossed the river there, for the next couple of days?

A. We, as best I recall--this is a familiar name (indicating name on Exhibit MAP-1), so I think we went up in here.

Q. Swung up in the north there. Let the record show it's about 2 kilometers north of My Lai (4). Swung up there.

A. Now, once again, I'm not sure. I think we stayed out after this thing was concluded. I think the other two companies moved to Dottie and Uptight, I'm not real sure, but I believe. Once again, its obvious that of the three companies involved, mine was the least involved as far as actual contact. And I believe that these two moved to the two LZ's that we had in Task Force Barker, Dottie and Uptight here. And I'm pretty sure that my company stayed out, and we operated pretty much independently like we always did.

Q. Yes.

A. The S3, Major CALHOUN, and the colonel would just give me a goose egg, an AO, and they would have me S&D, clear, ambush, or a combination, you know, sort of whatever they wanted me to do. But how I went about it was my prerogative, and, to the best of my memory, we crossed back across the river, but I'm not sure where. It seems like there is a bridge up here somewhere that doesn't show on the map, or a

shallow place, or something. I think we went up this way and went back across this river. We didn't stay down in here that long a period of time.

Q. You moved up then, traveling north?

A. I think so, yes, sir.

Q. While this operation was going on, particularly the morning of the 16th, you are very interested in what's happening. The best way to know what is going on is to monitor your radio pretty closely.

A. Right.

Q. What was the impression you got from listening to the radio?

A. I don't really remember. I agree with you. I listened, I know I listened. I had a small "squawk box" there. I didn't have to hold it to my ear. Of course, it was the battalion command net, but I don't recall any exact transmission or the gist of any transmissions at all.

Q. Would you recall if Major CALHOUN was telling a company commander to move somewhere and the division commander broke in and countermanded the order? Do you think that would stick in your mind?

A. I would think that it would.

Q. If you weren't around and your RTO heard that--he was bound to hear, he hears everything--would your RTO tell you about that if he heard it?

A. I feel like he would, yes, sir.

Q. Do you recall being told that on the 16th?

A. No.

Q. Or any other time?

A. That the division commander--

Q. (Interposing) I'm thinking particularly of Captain MEDINA being told to move back into the area of My Lai(4) to count some bodies?

A. I don't recall.

Q. Do you recall the division commander coming on that net at any time during that operation?

A. No, I do not. He could have come in on the company net and, of course, I wouldn't have heard that, you know, another company. Of course, you said it came in on the task force net, which I would have heard. But I don't -- if he did, I don't remember.

Q. Would CALHOUN generally get on a company net to talk to the company commander or would he always do it on the battalion net?

A. Generally always on the battalion net, to the best of my memory, unless there was some other traffic, you know, that needed to be conducted, and he'd come up on my frequency.

Q. When you were with Task Force Barker and then later on in the 11th Brigade, was there a lot of emphasis, I mean real emphasis, on not unnecessarily hurting civilians?

A. I would say so, yes, sir.

Q. And you really felt that you didn't want to do any more than you had to do?

A. Yes, sir. Like I say, I can speak definitely for those battalions in the 1st Infantry, for there I most definitely know what the policy was in my battalion. And it is just as you say, you know, you don't -- Colonel FRANKLIN didn't believe in burning villages; you know, just going in shooting them up or anything like that. Now if you had contact in a village, well that was a different story. But as far as just going in, just setting a torch to them, he did not condone it. This was not permitted.

Q. Do you think if you knew Colonel BARKER had told Captain MEDINA to do that, that would have made an impression on your mind?

A. I think it would, yes, sir.

Q. Did you ever hear of an order in the Americal and your outfit to kill livestock and burn hootches?

A. No, sir.

Q. Did you carry your mortars with you when you came down? You carry mortars with you in the field?

A. We have carried one or two.

Q. How about when you fired your mortar? Who would adjust the fire of it, normally? I'm talking about the Pinkville area. Who would adjust your mortar fire?

A. One of the FO's with rifle platoons. I don't recall ever having fired any except to lay it in at night. I mean, you know, just to haul it out and shoot it, we didn't do that.

Q. You didn't do it. What do you mean FO, the artillery FO or the 81 FO?

A. The 81 FO.

Q. The 81 FO. Who would you clear it through?

A. Most of the time all I had to do, as I say, was I'd register them at night, and I usually got -- I guess I just called the TOC, this was task force TOC, and told them that I wanted to shoot. And then, to the best I can recall, they would give me permission to fire, because I know that the indirect fire used over there went through a lot of clearance procedures before you could fire -- other than during contact.

Q. You would call the TOC. Did you operate with gunships very often?

A. In the mountains?



Q. In that area?

A. No, sir.

Q. Just in general, gunships. What was your impression of these people? I'm talking specifically about these gunship pilots and precautionary measures taken not to hurt civilians?

A. I don't know. I don't really have a thought about it. I guess because the only times I remember working with gunships was in pretty heavy jungle, this kind of stuff. But as far as I know, they--I never saw them--the only time I ever saw them shooting up just for the pure old heck of shooting, they were shooting in the ocean testing their guns or something. As far as just actually hauling off and blazing away at somebody, no, sir, I do not.

Q. When you first heard about what happened here in My Lai in the press, what was your reaction?

A. When I first heard about it before I even realized that I knew what it was?

Q. Yes.

A. Well, I thought if it was true, if there was enough evidence to back it up, it was definitely wrong procedure and that the wrong actions had been taken by platoon leaders.

Q. When you found out it was Task Force Barker, were you suprised, shocked, or what?

A. Well, yes. Like I say, as I stated earlier, the only thoughts I ever had about this operation later was the relationship of the number of killed to weapons captured. Then when it all came out in the press -- and it was quite some time -- like I say, before I ever realized I even knew what they were talking about. Of course, as soon as they mentioned Pinkville and the date together, then I remembered, because it was a coordinated effort. It was a little more than the average daily operation, so I remembered it. I remembered exactly what it was, and I remembered what I had thought after the operation was over.

LTC MAHAFFEY: I would like to go back to this briefing on the afternoon of the 15th, the day before the operation. Mr. RIGGS, in your previous testimony, did you indicate you did or did not remember Colonel HENDERSON, the brigade commander, having been there?

A. I do not remember Colonel HENDERSON having been there.

Q. You do not?

A. No.

Q. Or his having spoken to the assembled group of company commanders?

A. No, sir.

Q. You also mentioned that the kind of operations that you had been conducting prior to this time was search and destroy. Was this the normal type mission that you conducted in that area?

A. Pretty much search and destroy or search and clear, various names. That is based on the intelligence. Sometimes we'd start it maybe, and they would come up with something, and we'd move real fast and do something else.

Q. Do you remember if the particular operation was a search and clear or whether it was a search and destroy or precisely what type of operation it was supposed to have been?

A. No. I would, just from the way it was set up and the way it was presented to me, I would call it an S&D.

Q. S&D, search and destroy?

A. Search and destroy. But it actually, you know, it hadn't been named that. No, sir, I don't recall that.

Q. Getting back to the monitorship of the battalion net, which, in a static situation like that, is sometimes the only way you can keep abreast of what's going on. Do you re-

member at any time if traffic was passed over that net that day concerning the burning of hootches, killing and wounding of noncombatants or civilians, or anything else which might have stood out in your mind?

A. No, sir. The only -- I can recall one transmission and that was that Captain MICHLES' XO was killed that day. And the only reason I recall that is that his wife and my wife were pretty good friends. Of course, you know we call in our casualties by roster number, and when you call in roster number 2 that meant the number of the XO.

Q. How was he killed?

A. I think it was a booby trap.

Q. What was his name?

A. COCHRAN. Lieutenant COCHRAN.

Q. Could you see My Lai (4) or My Lai (1), Pinkville, from your location?

A. No, sir.

Q. You could not see it?

A. No, sir.

COL FRANKLIN: You sure about that?

A. Yes, sir.

Q. We've had testimony you could see from Uptight. You could see certain things, previous operations, firing in the water at the swift boats. You couldn't see anything at all in or near the area of My Lai (4)?

A. No, sir.

Q. From where you were, you couldn't?

A. From where I was, I could not, no, sir. It is conceivable that you could see from Uptight. But Uptight is quite high in relation to the ground we were on, which

was roughly on the same level as the other ground. Of course, you know how you have the little palm trees and stuff like that which would keep you from seeing.

Q. Stuff like on the photographs (indicating the photographs on the wall).

A. Yes. This kind of stuff here (referring to the photographs) would keep you from seeing across because of the trees and the growth in the way. But I could not see either one of the two. In fact, we could see across the river from our positions but the growth prevented me from actually seeing into -- I didn't see any friendly or enemy movement or any movement at all in the area of either one of the two, My Lai (4) or My Lai (1).

LTC MAHAFFEY: Did you at this 15 March briefing get anything in writing or in the form of an overlay of the operation?

A. We probably got an overlay.

Q. Why do you say probably?

A. Because that would be the policy. Usually the only thing you would get in writing would be an overlay. And it would usually indicate -- it would be an overlay with a frag order on it. And I always destroyed mine that day. I didn't --I mean--

Q. (Interposing) But you think such an overlay with frag order was in fact issued?

A. I think it was.

COL FRANKLIN: Are you saying that because it generally was or you remember one?

A. No, that's what I said, just because it generally was.

Q. It generally was, but you--

A. (Interposing) That I actually remember it, no, sir, I do not remember one.

Q. Okay.

LTC MAHAFFEY: Were there any issued that you remember at all during the task force's operation, during the entire task force?

A. Overlay?

Q. Yes?

A. Well, yes, it seems like they were, but again I can't recall.

Q. I understand. I just wondered if you could separate out the way the 3/1 operated and--

A. (Interposing) Well, yes, this is where I'm having trouble, because in the 3/1 I got an overlay just almost daily without fail, and this is where I'm having trouble getting them separated.

Q. So you are not positive, but you think there may have been an overlay with a frag order issued for the task force?

A. Yes, sir.

Q. The last question I have is; would you at any time on the 16th, 17th, or 18th, other than for registration purpose, have fired your accompanying mortar?

A. To the best of my knowledge and remembrance, no.

Q. Do you have anything that you would like to add, for the second time here?

A. No, sir.

COL FRANKLIN: The hearing is recessed.

(The hearing recessed at 1759 hours, 20 December 1969.)

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SUMMARY OF TESTIMONY

WITNESS: TRINKLE, Patrick Michael, MAJ

DATE OF TESTIMONY: 10 December 1969

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: N/A

DUTY ASSIGNMENT ON 16 MARCH 1968: S-3, 3d Battalion,  
1st Infantry

1. TRINKLE'S IMPRESSION OF THE PERSONNEL OF TASK FORCE  
BARKER.

a. Trinkle's evaluation of LTC BARKER.

TRINKLE was with the task force until 26 February 1968, at which time he was wounded (pg. 3). There were several reasons why he thought BARKER was a weak CO. First, operations were not planned at meetings, but at informal discussions between Major CALHOUN and the company commanders (pg. 4). At these informal discussions, the company commanders would present a plan to Major CALHOUN with whom they would discuss it and CALHOUN would then present the final plan to BARKER for approval (pgs. 4,7,24). Second, BARKER never set any task force standards; thus each company proceeded as it had with its parent battalion (pg. 11). Third, TRINKLE thought that because of the danger of ambush BARKER had erred on one occasion by requiring his company to make a night link-up with a Vietnamese unit (pg. 4). Finally, the task force did not act concertedly, but each company operated independently of the other (pg. 7).

b. TRINKLE's evaluation of MEDINA.

TRINKLE did not mind operating independently of the other companies because he thought their commanders were weak (pg. 10). He felt that MEDINA's company was undisciplined and would shoot first and ask questions later (pg. 11).

(TRINKLE)

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2. TRINKLE'S IMPRESSIONS OF OPERATIONS IN THE PINKVILLE AREA.

a. TRINKLE's experiences in My Lai.

TRINKLE was in My Lai twice (pg. 17). He felt that the people in the area were controlled by the communists and that it was their job to support the 48th Main Force VC Battalion (pg. 18). There was nothing significant in the fact that My Lai was a fortified village because all the villages in the area were fortified (pg. 17). The second time he was in My Lai he was wounded by fire coming from within and to the east of the village (pg. 17). His company had suffered two dead and thirty wounded in the Pinkville area over the three week period before he was wounded (pg. 13).

b. TRINKLE's control of his unit.

He did not have trouble with his troops shooting civilians or burning hootches because he had stressed to them the importance of civilians and the political implications of burning villages (pg. 10). He was never instructed to burn or destroy hootches or livestock--only tunnels (pg. 9). He also stressed to his men the desirability of capturing prisoners (pg. 16). Thus his unit would try to catch persons attempting to escape from it (pg. 16). His men were only allowed to shoot persons whom they could not outrun and persons with weapons (pg. 16).

c. TRINKLE's opinion as to how VC could be distinguished from innocent civilians.

In his opinion, the only way a person could be positively proven to be a VC was if he had a weapon or a document or was attempting escape (pg. 16). Thus a person killed by artillery fire who appeared to be a noncombatant would not be reported by his unit as a VC KIA (pg. 20). His people had killed women with weapons (pg. 21).

d. TRINKLE's opinion as to when a village would be deserted.

TRINKLE did not think that a whole village would be deserted after 0700 (pg. 8). In his experience, all the women did not go to market on a given day (pg. 8).

3. OTHER INFORMATION.

a. Rumor of unnecessary civilian casualties at My Lai.

While TRINKLE was in the hospital, he spoke with the person who had succeeded him in command of Company A and who was in command on 16 March 1968 (pg. 14). This person told TRINKLE that C Company had gone into My Lai and had quite a fight (pg. 14). However, it was this person's opinion that C Company had just killed some civilians and exaggerated the report (pg. 14). TRINKLE stated, however, that neither he nor his successor suspected the magnitude of what happened at My Lai (pg. 14). TRINKLE did not recall any complaint of the indiscriminate killing of civilians by any unit of Task Force Barker while he was CO of A Company (pg. 15).

b. Prior training in the rules of land warfare.

During the six weeks TRINKLE was in Hawaii with A Company prior to deployment to Vietnam, he did not recall his men getting any training from higher headquarters on the treatment of noncombatants (pg. 25). The only training his men received in this regard was that which he gave them from his own experiences during an earlier tour in Vietnam (pg. 25).

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EXHIBITS

EXHIBIT NUMBER	DESCRIPTION	NOTES	PAGES
R-2	Combat Action Report from Task Force Barker	Witness had never seen before.	25

(The hearing reconvened at 1010 hours, 10 December 1969.)

RCDR: The following persons are present: COL WILSON and MAJ LYNN.

(MAJ Patrick Michael TRINKLE, Infantry Department of Tactics, United States Military Academy, was called as a witness, was sworn, and testified as follows:)

COL WILSON: Major TRINKLE, this investigation was directed by the Secretary of the Army and the Chief of Staff of the United States Army to determine the facts and make findings and recommendations concerning:

(1) the adequacy of prior investigations, inquiries into and subsequent reviews and reports within the chain of command, of what is now commonly referred to as the My Lai incident of 16 March 1968, and

(2) the possible suppression or withholding of information by any persons who had the duty to report and furnish information concerning this incident.

This investigation is not being conducted to investigate all facts and circumstances of what happened at My Lai. It is directed to those specific purposes which I have just stated.

The Secretary of the Army and the Chief of Staff have appointed and directed Lieutenant General W.R. PEERS to conduct this investigation. I am an investigating officer on General PEERS' board and the questions that I ask you will be on his behalf and all evidence will be evaluated by General PEERS for his recommendations to the Chief of Staff.

What was your assignment in March 1968?

A. During the early part of March, I was hospitalized; and about mid-March or possibly late March, I returned to 3/1 and became the battalion S3.

(TRINKLE)

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Q. You were not the commander of Company A on the 16th of March 1968, is that correct?

A. That is correct, sir.

Q. Where were you wounded?

A. I was wounded in the Muscatine area of operations, while I was a company commander.

Q. Was this north of the Song Ham Giang River?

A. (After reviewing map) No, sir, it was south.

Q. South of the Song Ham Giang River?

A. Yes, sir.

Q. Then you were in the area of what is referred to as the Pinkville complex?

A. I was just to the west of what was called the Pinkville area, yes.

Q. Were you in the Muscatine area or the Task Force Barker area or were you in the 2d ARVN Division area?

A. That area which was normally assigned to the 2d ARVN Division.

Q. This is the area which you were wounded in?

A. Yes, sir.

Q. Would you give me the coordinates where you received your wounds?

A. (After reviewing map) To the best of my knowledge, it was at about 725785.

(The witness pointed to a location north of Road 521, approximately 700 meters east of My Lai (4).)

Q. And what was the date of that wound?

A. According to after action reports, I have a date of 26 February. But in looking back through my older letters, I now believe it was possibly on the 24th or 25th of February. The reason I say that, sir, is the reports about my wounds are the official ones--they say the 26th but in looking back through my old letters that I sent to my wife, I noticed one that was dated the 25th-- I may have made a mistake on the date on the letter.

Q. The important thing was that you were wounded in the vicinity of My Lai (4)?

A. Yes, sir.

Q. Some 2 weeks before the 16th of March?

A. Yes, sir.

Q. At the termination of this investigation, I am going to ask you to use maps and photographs or whatever material you need to provide General PEERS with a symbolic concept of the operation that you participated in during the time that you were wounded.

A. Yes, sir.

Q. I would also like for you, wherever possible, to highlight the fortifications and VC positions that are located in that general vicinity.

A. Yes, sir.

Q. Who was commanding the task force when you were wounded?

A. Colonel Frank BARKER, sir.

Q. What was your judgment of Colonel BARKER as a task force commander?

A. I thought he was a weak commander, sir.

Q. In what way?

A. Well, he was operating under a handicap in one way, in that the task force had been formed quickly. He did not know any of his company commanders, he was operating with a thrown-together staff. The only infantry officer that I remember being on his staff that really understood the operation was Major CALHOUN. Colonel BARKER, from the time the task force was formed, gave me the impression that he did not really know what he wanted to do or how he wanted to do it. He very seldom talked to us as far as sitting down and discussing the operations or how we should do them. Most of my operations in the Muscatine area were things which really Major CALHOUN and I more or less got together, and sat down, and tried to figure out where the VC were and how we could sneak up on them. I used to operate a lot in that area and after being in the area for 2 weeks I got to know it a lot better. I cannot remember Colonel BARKER ever sitting down and really talking to me about what the area of operation was like. The one time that he did take a stand on something, I thought that it was a wrong decision. We had been down to the 2d ARVN area and this was about--it was after Tet offensive but before I was wounded, and it was my policy to go ahead and use the VC defensive positions--their trenches--their defensive positions that were down there and spread my people out so that I would not be a good target for a mortar attack. I was always successful in doing this, but for some reason on this particular night he insisted that we march all the way back to Highway 1 in the middle of the night to link up with an RF/PF unit that was located there, and I tried to talk him out of it--but he insisted on us going--and that is the only time that I can remember him taking a strong stand. I feel that it was the wrong stand.

Q. Why?

A. The danger of being ambushed with a large group moving through that way--he sent us to an area that we weren't really familiar with because we had

not operated that far east--close to Highway 1. It was a pretty tricky operation to link up with a Vietnamese force at night. I just felt that it was not tactically sound to do this but he insisted on us doing it anyway. As it turned out, we managed to get back without having any serious mishaps. One of the advisors who came out from the area to meet us, one of the enlisted advisors, did manage to wound himself somehow or other in the dark. I thought at first that it was possibly one of my men that had done it accidentally, and I had a pretty rough session with the platoon that it had happened in, and finally the platoon sergeant told me, "Sir, the man shot-- I think the man shot himself," he was referring to the advisor. But I felt that the operation could have been a disaster. We were lucky it wasn't.

Q. What is your judgment of Major CALHOUN?

A. Major CALHOUN, unfortunately, never was able to get away from the TOC. He was the S3, S2. I don't believe there was a regular S2 assigned. Major CALHOUN was the one that conducted the business. He was the radio operator--he used to work 16 to 20 hours a day--but Colonel BARKER never let him out of the TOC really. The only thing that Major CALHOUN knew about the area of operations was--the only thing he knew about my area of operations was what I would tell him.

Q. What was your judgment of the S2? Do you remember his name?

A. I cannot even remember his name or whether he did anything. I am not even sure we had an S2 although there were some officers that showed up around the TOC.

Q. There was a question of an officer being assigned about the time that you were wounded by the name of KOTOUC. Have you ever heard this name? Captain KOTOUC?

A. I do not recall ever hearing the name.

Q. Do you recall the name of a Lieutenant JOHNSON?

A. No, sir.

Q. Who was with an MI unit?

A. Occasionally, we used to have MI people go out with us, and now that I think back on it, I believe there was a JOHNSON that went with my company on one operation. If I saw a picture I think I would probably remember whether it was him or not.

Q. Did he impress you as knowing what he was doing?

A. The man that I am thinking about impressed me as knowing what he was doing.

Q. But you are not sure whether it was JOHNSON or not?

A. I think it is probably the man you are talking about, but I do not remember for sure, sir.

Q. Does the name Captain FLETCHER mean anything to you?

A. No, it does not, sir.

Q. Do you know who Colonel BARKER's command ship pilot was?

A. No, sir, I do not.

Q. You stated that Colonel BARKER provided his own intelligence, or words to that effect. What do you mean?

A. I mean that as far as my operations were concerned, two-thirds to three-quarters of them were operations that I really thought up myself. I would go and talk to Major CALHOUN and he would take the plans to Colonel BARKER, and Colonel BARKER would say yes or no. Occasionally, we would get a directive. I do not know whether they would come from division or brigade or where.

Q. Yes, this is confidential.

A. Based on the radio intercept type thing, intelligence sources, I can remember at least one time that we reacted to something like this--my company reacted to something like this. But day to day operation, it was just trying to figure out on the ground where we thought they would be and try to sneak up on them.

Q. You said that Colonel BARKER did most of his operations planning. Please explain.

A. We very seldom operated as a whole task force. Each company usually operated independently and as far as my company's operations were concerned, Major CALHOUN and I would work out the concept and then present, he would present it to Colonel BARKER.

Q. The day that you were wounded, were you conducting a task force operation or a company operation?

A. This directive had come from higher up, I don't know at what level, and it was a company operation combined with two platoons of armored personnel carriers.

Q. Who was the commander of the operation?

A. The maneuver element of the operation was commanded by myself, sir--the one company plus two platoons of tracks.

Q. Were these tracks yours?

A. Yes, sir.

Q. The troops were attached to your company, then?

A. Yes, sir.

Q. There was no other company in Task Force Barker on the operation?

A. I think perhaps there was a blocking force north of the Ham Giang River up in the Muscatine area. I am not sure and I cannot remember at this time whether it was Bravo and Charlie or just one of the companies.



Q. This blocking position up north of the Ham Giang appeared to be sort of a traditional role for anything that occurred south of the river. Is this true?

A. I am not sure exactly how you mean it, sir. Yes, when we went south it wasn't uncommon for another company to be operating north of the river to catch anything that might spread back over.

Q. Had you ever heard any intelligence regarding the activities of the inhabitants of the villages in this area during the early morning hours?

A. No, sir.

Q. Was there any pattern to their movement which you can recall occurred daily around 0700-0730 in the morning?

A. I know what you are referring to because I have read it in the papers or somewhere in the last few weeks, where somebody claims that they used to go out into the fields at 7 or so in the morning. I had never given it any thought before I read it in the papers. It is true that they usually, the few of them that were there, would go out in the fields when it was daylight. I do not think that you could call it a pattern, certainly not a pattern to the extent that you would think that the whole village would be deserted after 7 o'clock.

Q. There are some references in the same statement that I referred to which was not in the newspaper article. It was through testimony--that the women of the village went to market at this time.

A. It is common throughout Vietnam that they do, but all women don't go to market.

Q. What would be the normal time for them to go? Have you ever heard this, or is this a pattern?

A. I have never heard it. I have seen them going any time from dawn on. People usually go as soon as they get their stuff gathered up and head towards the market place.

Q. Was this something they do every day?

A. Some of them do it every day. All the people don't do it every day.

Q. Is there a particular day of the week that they do it, like washday on Monday? Do they have any particular day that they go do their shopping?

A. No, sir, not that I know of.

Q. Then, from what you say, I understand that you don't feel that there is a particular pattern to this, each morning or so many days of the week and so forth?

A. There is a pattern only to the extent that when somebody has something to sell they usually move out in the morning and go to market.

Q. In other words, what they are going to market for is to sell and not to buy?

A. Both, they sell and then buy. They trade.

Q. Have you ever been instructed in any operation in this area to burn hootches?

A. No, sir.

Q. Have you ever been instructed to destroy the hootches?

A. No, sir.

Q. The livestock?

A. With one exception. We destroyed tunnels that were under a very small village right next to the coast and in the process of blowing the tunnels up the hootches that were above them were, of course, destroyed, but we were never instructed to destroy anything except tunnels.

Q. No livestock or fowl?

A. No, sir.

Q. Did you ever feel that your troops in your company, in A Company, ever had the impression that they were to destroy villages or fowl or anything like this?

A. No, sir.

Q. Had you ever had any experience in A Company with your soldiers participating in this sort of activity where they had to be corrected?

A. I had to pay close attention to it from the time before we left Hawaii. I used to stress with the troops the importance of civilians and every once in a while they wondered why they shouldn't do it and I would have to explain political implications and the fact that there wasn't really any point in destroying the villages, that it would really be doing us more harm than good.

Q. Would you explain your understanding, if you have heard the term, of free-fire zone?

A. My understanding is that a free-fire zone is a zone where you can fire artillery or have airstrikes without having political clearance.

Q. Have you ever heard the term specified-strike zone?

A. No, sir, not in those exact words.

Q. Do you know who the advisor to the 2d ARVN Division was--the U.S. advisor?

A. No, sir, I hadn't met him at the time I was with Task Force Barker. Later on, after I went back to my parent unit, I remember meeting the advisor to the 2d ARVN Division, but this was several months later and I do not remember his name.

Q. Had you ever operated with B Company before when they had burned villages or destroyed livestock or fired on civilians?

A. I did not like the way B Company or C Company, either one, operated so I always pulled strings so that A Company did not get involved in operations with the other two companies any more than we absolutely had to.

Q. What was wrong with their operations?

A. I felt that MICHLES and MEDINA, neither one, understood what kind of problems we were faced with there. I felt MICHLES' biggest problem was gross exaggeration. If he saw two or three people running he would shoot at them and report them as VC. This is what I suspected, of course. This was my hearing his transmissions over the radio. MEDINA's biggest problem, I think, was discipline. From his radio transmissions and his reports to task force, it is my personal opinion that his company shot and asked questions later.

Q. Was the procedure of reconnaissance by fire common in Task Force Barker?

A. It was not common in A Company. I would not allow my troops to shoot at anything unless it was a specific target and that target was somebody with a weapon or somebody that was military-age and running so fast that it was impossible for troops to run him down. It may have been common practice in Bravo and Charlie Companies. It would not surprise me if it were, but I don't know, because Colonel BARKER was such a weak commander there really wasn't a task force policy on anything. Each company operated as it had with its parent battalion. I know I operated by the standards of the 1st Battalion and my own company standards. Colonel BARKER never set any task force standards.

Q. Had you ever called artillery onto a village during the operations?

A. I have called artillery on the areas where I knew there were VC, where I had been in contact, where I actually saw VC moving. The one time that I did was when they were on a mountain side. I saw several of them moving. I tried to call artillery in on them. I might add at this point that Delta Battery, which was in support of Task Force Barker, was such a poor artillery battery up until the time that I was wounded that I seldom ever used them. I always preferred to depend on gunships or airstrikes when I did have a target.

Q. Did you call airstrikes in on any targets during your operations?

A. Yes, sir.

Q. Air Force aircraft?

A. Yes, sir.

Q. What type of munition did you use?

A. It is hard to remember now, sir, I have used just about every type ammunition they have during my tour there.

Q. I am trying to separate napalm from high explosives?

A. I used both napalm and high explosives in that real bad Pinkville area.

Q. Was this on the operation where you were wounded?

A. I can't remember if I used napalm that day. I am referring to an operation that was about 2 weeks prior to the time I was wounded where I did use napalm.

Q. I'd like for you to put all that on the overlay that you made. What was the percent of casualties that you received on the operation on or about the 26th of February?

A. Looking back over my old letters before I came to Washington, I found one that I had written that we had ten men wounded and one man killed in that operation. However, that only includes my organic company. It does not include the men from the tracks. There were about half a dozen to a dozen men of E Troop wounded also.

Q. A Company had one and ten?

A. Yes, sir.

Q. How long was that operation?

A. We made contact about early afternoon and fought until night and we were still in contact through the night, but it was sporadic.

Q. This is one day's casualties you are talking about? Had you taken many casualties in this area?

A. I think that my casualty rate was about 30 at that time--30 wounded and 2 killed. Almost all of A Company's casualties were suffered in the Pinkville area over a period of 3 weeks.

Q. All operations in this area?

A. Yes, that was the only place.

Q. That was the only place you took casualties?

A. Yes, sir.

Q. You didn't take casualties in the Muscatine area, in the Task Force Barker AO?

A. We were just lucky, sir. We hit a few booby traps and got fired at but we never had any casualties that I can remember.

Q. Did your soldiers seem to have any great fear or animosity towards this area--the Pinkville complex?

A. No. They were anxious to get down there because we had been tramping around in our own AO, where we had to really work to find Charlie. In the 2d ARVN area we didn't have to look so hard, the VC would come to us sometimes. I think the men in A Company looked forward to getting down there and tangling with them. The troops were getting awfully tired, and I probably had them at their very peak about the time I was wounded because I had noticed that they were starting to get tired. So it is possible that after that time they started looking on the area with some fear.

Q. Would you explain what you mean by tired?

A. Well, that was a particularly bad time. That was right after the Tet offensive. We were going all day, every day. I don't recall ever having a break and they were just tired.

Q. Did anyone ever complain to you at any time about indiscriminate firing on noncombatants?

A. Did anyone complain about my company--

Q. No, about anybody in Task Force Barker?

A. No, sir. After I got back from the hospital, or it was possibly in the hospital, because I can't remember now whether it was Gerry SHELTON or Bill RIGGS. Gerry SHELTON took over the command of A Company after I left and commanded it about 2 weeks, and then Bill RIGGS took over from him after he was wounded. I saw Gerry SHELTON in the hospital in Danang, and we talked about the AO. Either he or RIGGS much later said that C Company had gone down into the Pinkville area again and had quite a fight down there, but it was his opinion that they just killed some civilians and just exaggerated the report. At the time, whoever I was talking to, either RIGGS or SHELTON, we both assumed this to mean accidental firing that would happen if they opened up when they got off the helicopters. Neither one of us suspected the magnitude of what happened at My Lai.

Q. Who told you this?

A. I think it was either Gerry SHELTON or Bill RIGGS, those are the only two that I would have talked to about the Muscatine area.

Q. Would you identify Gerry SHELTON?

A. Captain Gerald SHELTON, he was assigned to the 11th Brigade. I cannot remember what his parent unit was but he took over command of my company after I was wounded.

Q. Was he assigned to your company at the time he took over command?

A. No, sir, he came from brigade someplace. He had not been with Task Force Barker.

Q. Was he a captain when he came down to take command?

A. Yes, sir.

Q. Colonel BARKER's combat action report for 16 March shows that Captain RIGGS was in command of A Company. Would this seem normal? Is this incorrect?

A. SHELTON was wounded approximately 2 weeks after I was wounded. On 26 February to I guess about 10 March, SHELTON commanded A Company, and then RIGGS had just taken over A Company on 16 March.

Q. From the period 25 February to 16 March, A Company went through three company commanders?

A. That is correct.

Q. When were you told this about C Company exaggerating the casualties and thinking it was accidental?

A. Sometime after I was wounded, and it was either in Danang when I was talking to SHELTON or much later after the task force had been dissolved.

Q. Do you remember when this statement was made?

A. No, sir. It sticks in my mind that I had heard this rumor and I can't say for sure whether it was SHELTON or RIGGS.

Q. Do you know why it came up?

A. Just talking over the Muscatine area and what had happened there after I left.

Q. Do you remember anything official that was brought to your attention in a complaint before 16 March, during the time you were commanding A Company, before you were wounded?

A. No, sir.

Q. Did you ever hear the complaint, of any kind, of any organization in Task Force Barker, about indiscriminate firing--killing noncombatants?

A. It was a constant problem knowing where to draw the line as to who was VC and who wasn't and I talked to Major CALHOUN about how hard it was to tell the difference. As far as any official complaints, I can't recall any, no, sir.

Q. How do you identify VC.

A. It is the hardest thing in the world. If he has a weapon there is no doubt that he is VC. The policy that I used in Task Force Barker--I had to have some kind of proof on the guy before I took him prisoner. If he was military-age male he had to be either VC or a draft dodger, so I took him prisoner. A lot of the older men were part



of the political cadre. We used to capture documents and we had names--we killed a mailman once carrying a mailbag, and he had an M-16 rifle. From his bag we got a map of the area there south of the Song Ham Giang and we had names of a lot of the older men, political cadre type, so we tried to find them. I remember one occasion where I actually found a letter on an old man who ordinarily you would have assumed to be a rice farmer. He turned out to be a little hamlet chief. Really, the only way that you could tell if they were VC or not was if they had a document or a weapon or if the man took off in a dead run so fast my troops couldn't run him down. Wherever this happened I gave my permission to go ahead and fire, but it was drilled into my men that first they had to try and out run them. I always stressed to my men that a prisoner was worth a lot more to us than a corpse.

Q. Did the population of the Pinkville complex area normally remain in place when U.S. forces were around or was there much running?

A. Most of the houses, when you get out in that area around the ocean, were deserted. The villages only had a quarter to a third of the population still there. The old women and children and old men usually stayed in place. I can't recall them ever running. If we managed to sneak in at night or something and there were young men in the village, they would take out as fast as they could go.

Q. Had you ever been in the village of My Lai (4)?

A. Yes, sir.

Q. Had you had any problems with the civilians in that village?

A. No. The only thing I can remember them doing is standing out by their houses.

Q. Not running?

A. As I remember, no.

Q. Was this entrance into the village built up from ground movement or did you conduct a combat assault?

A. I can remember being in the village twice, both of them from ground movements. One time we came from the north, just a patrolling action. This was in the middle of the day and we had no contact at that particular time. This was about early February. The day that we hit what we believed was the 48th Main Force Battalion, in the village, the people were already gone except for about 10 or 15 of them.

Q. When was that?

A. This was the day I was wounded.

Q. Was the fire which resulted in your wounds coming from My Lai (4)?

A. It was coming from My Lai (4) and the area east of My Lai (4), yes.

Q. We have information that there were gun positions on the northeast area of the village. Do you know about this? Automatic weapons?

A. Yes, there were spider holes in all of those villages in the area.

Q. Nothing unusual about My Lai (4)?

A. No. All the villages were fortified.

Q. All fortified and My Lai (4) was no different from any of the others?

A. No, sir.

Q. From the time you left what you call the fort area at grid line 69 on to the east, every village was fortified by the VC. Do you consider the majority of the 48th Battalion south of the Ham Giang or north of the river?

A. I am not familiar with the Batangan Peninsula as it sticks out in the ocean. That was C Company's area of operation. I was primarily concerned with the southern portion of the AO and the 2d ARVN part of the AO. Some days the 48th was there. Some days it wasn't. There was a lot of ammunition caches in the area and a lot of supply caches in the area. We used to find them. I

think the 48th moved in and out. They had a lot of strong bases south of Muscatine. What they had on the Batangan I do not know.

Q. I am speaking from the standpoint of troop strength. Do you consider the 48th had most of their personnel north or south of the river?

A. They did not stay in one place, sir. They were in Quang Ngai 1 day.

Q. The previous intelligence that I have seen showed the method of operation of this unit as utilizing villagers that lived in the area whom they would consolidate for operations. They did utilize people that lived in these villages and conducted operations on a time basis. Did you ever hear this?

A. My best picture of how the VC structure was down there in that area we are talking about was that the 48th main force was well armed, well equipped. They had mortars. Every man had a weapon. But there were other VC in that area who weren't nearly as well armed as the 48th. You would find sometimes groups of two or three where they had grenades and only one man would have a weapon. They had old weapons, things they had picked up along the way of every type and description. Besides this group of soldiers in each village, they also had a political cadre. Usually they did not carry weapons--usually the old men. They wrote the letters and kept the books. They kept track who paid how much rice tax. That is how the area was generally set up. I believe that the people that were left in that area were completely controlled by the Communists, and it was their job to support the 48th Main Force VC Battalion. The battalion itself would range out of that area sometimes clear over to the west of Highway 1 for operations over there. They were involved, as I remember, in Quang Ngai during an offensive operation of the Tet offensive.

Q. What you describe to me sounds like a fairly solid force which used auxiliaries in the villages to assist in operations throughout the area.

A. Yes, sir.

Q. But as I understand it, the local force, the members of the 48th Battalion did not necessarily live in any village.

A. Yes, sir.

Q. So these people that were in the villages, if they were VC at all, would really be auxiliaries to the 48th. Is that your understanding?

A. Yes, sir.

Q. Was this ever briefed to you or did you develop this picture yourself?

A. I built it up myself.

Q. Did you ever see much intelligence on the area from the standpoint of written documentation?

A. Only what we captured.

Q. No reports, documents, or analysis?

A. No, sir.

Q. Did you ever receive any information on the radio intercepts?

A. I did not know what radio intercepts were at that time because they were classified. We did run at least one operation that I remember was based on radio intercepts. I learned later that we had some other names for it, but it was a radio intercept.

Q. I meant the results of it. Did you ever see the results of the intelligence--

A. (Interposing) Do you mean the intelligence I captured myself?

Q. After it was analyzed?

A. It usually took too long--I speak and read Vietnamese reasonably well and I could usually make head or tail of what type document it was before it ever went up to division.

Q. If you were going to fire an artillery concentration on the village and you wanted it fired at a time when it would probably produce the least casualties on noncombatants, what would be the time of day that you would fire it?

(TRINKLE)

A. I don't think that the time of day had anything, really, to do with it.

Q. Do you recall in March, in that time period of the year, when it was first light?

A. I do not recall.

Q. Was March a period of inundation, heavy water concentration?

A. I do not remember March. I remember February and there were a lot of little channels in that area, but we did not have any trouble with water.

Q. Who was the battalion--the task force chaplain?

A. I do not think we had one, sir.

Q. Who was the brigade chaplain?

A. I can't remember at this time, sir.

Q. Did he ever get to your unit very often?

A. Not very often, sir. I think maybe we managed to have one quick Catholic service during the time my company was with Task Force Barker, but not more than one.

Q. Where was this service held?

A. I believe the Catholic chaplain came up to Dottie one time.

Q. Did you have an S1 in the task force?

A. The task force was completely dependent upon Chu Lai for all the logistics. This was one of the biggest problems about the task force. No, sir, as I remember we did not have an S1 right there.

Q. What was the procedure in your unit for making body counts?

A. In my unit it was for the man to be lying there with the weapon and counted dead.

Q. Suppose an individual was accidentally killed who appeared to be a noncombatant. Would he be reported separately?

A. It never occurred in A Company. If we had accidentally killed one it would have been reported as being a civilian that was killed accidentally. We wounded some people accidentally.

Q. Were they reported separately?

A. They were reported as civilian wounded and evacuated.

Q. They were not reported as VC?

A. No, sir. This only happened once that I can remember. The day that I was wounded there was a girl hit by something, and a few people that were in the village as I was evacuating my wounded brought her out to put on the helicopter with them. She was a teenage girl.

Q. Did you normally evacuate? You say this only happened once?

A. Yes, sir. Now, there were women wounded and killed by my company who were VC and had weapons.

Q. How many would you say?

A. I can remember just killing three women and wounding two. All had weapons except for one who was wounded in a tunnel, and she had web gear and a pack but she did not have a weapon.

A. How was she wounded?

A. I am not sure, now, whether it was by small arms-- but it must have been because it was on an operation where I had accidentally stumbled onto a village where there was a squad or a platoon of VC in uniform. Unfortunately, I was too far away from my company to get them. Right on top of the village at the time--and the VC spotted me so I ran back and got the company and came through the village. As we moved into the village we saw this figure jumping down a well and one of my troops fired at the figure. Then as

we searched the village about an hour later we found these tunnels that were under the water level of the well and crawled back in the tunnels and one turned out to be a woman in one well. In the other well we found six or a dozen military-age males and two more women. None of these people were wounded. However, one man was killed in the process of getting into the well. The force that had been there had moved on out north of the village and most of the company pursued that force. These people had stayed and hid in the wells. To the best of my knowledge these people were medical-type personnel such as doctors and one VC had been wounded in an earlier operation.

Q. Where was this?

A. This was out in the peninsula just beyond the Pinkville area.

Q. Coordinates?

A. At about 743795.

Q. You are pointing at My Lai (1)?

A. Yes, sir.

Q. Was there a photographer on this operation with you?

A. No, sir. There was one that came in the next day possibly. This happened at night, we did not get into the village until dusk. We conducted our search at night, and we did not find these people until about 2000 to 2300. Colonel BARKER and possibly the assistant division commander, I cannot remember which one it was, came in the next day, and there may have been a photographer with him. Only one VC was killed in this operation, that man was the man in the well.

Q. Was he floating in the well? In the water?

A. Yes, sir. This was in either very late January or early February. It was the first time we had gone all the way through the Pinkville area.

Q. And your activities in the Pinkville area, in My Lai (1), did you encounter heavy resistance in that area?

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A. (Referring to map) This is where the real fortification was. We met the resistance and pursued them right up here.

Q. You are pointing to coordinates--

A. (Interposing) I am pointing right now to coordinate 735785.

Q. Would you say this is where most of the resistance was?

A. Yes, sir. That is where the main tunnels were. The tunnels were 10 to 20 feet underground, big enough to stand and walk around in.

Q. That is adjacent to the graveyard?

A. Yes, sir.

Q. Is it in the graveyard?

A. No, sir.

Q. What is that peculiar configuration on the map?

A. (Looking at map) I am not sure. There used to be several brick houses there and everything.

Q. Someone has referred to that as a salt-drying area. Could that have been a salt-drying area?

A. No, sir, I do not think so.

Q. That is where the resistance was and you described leaving there, crossing through My Khe (4), and going up along the eastern peninsula?

A. Yes, sir. Bravo Company, at that time, was on the other side, 738800.

Q. Was Major CALHOUN sent to Saigon on TDY during the period right before you were wounded?

A. I do not remember his being sent to Saigon, sir.

Q. What type of briefing were you given when a task force operation was to take place? Did you go to the TOC and get briefed with other company commanders and supporting elements, or what?



A. No, sir. It was usually more informal, just a matter of a map and usually Major CALHOUN was briefing me. Sometimes Colonel BARKER was around, but not always.

Q. As an individual, by yourself?

A. I was usually the only one there from the company.

Q. Did Colonel HENDERSON come down to the operation area very often?

A. Up until the time I was wounded, General LIPSCOMB was the brigade commander.

Q. Did he come to the area very often?

A. He came about once a week, maybe twice.

Q. Did you see General KOSTER very often?

A. No, not while I was with Task Force Barker.

Q. What type of intelligence briefing did you have before operations? Any at all?

A. No, other than the fact that Major CALHOUN would say that there was an agent report that the VC were there. I think that I might say here, sir, that probably Colonel BARKER might have talked to Captain MEDINA more because he used to go to Uptight where MEDINA operated, and CALHOUN usually stayed at Dottie. BARKER did not stay at Uptight but he would fly up there so it is very possible that BARKER talked to MEDINA as much as CALHOUN talked to me.

Q. You are saying that C Company stayed at Uptight?

A. Most of the time, yes, sir. Bravo Company and Charlie Company traded off at Uptight and I had not been to Uptight yet up until the time I was wounded. My company went later.

Q. What was your strength at Uptight as far as the task force infantry was concerned? Company? Platoon?

A. One company operated out of there usually. The main mode of operation was that one company--we had two fire bases and three companies--one company would operate out of each fire bases while the other company would be patrolling,

and we would switch. That company would stay out from 3 to 6 days and then come back and take a place on the fire base and the next company would go out. The companies on the fire bases conducted local patrols by day but usually returned to the fire bases at night, leaving only a few squads out to ambush.

Q. I show you Exhibit R-2, which is a combat action report from Task Force Barker. Did you ever see this type report submitted from Task Force Barker?

A. No, sir. If they were prepared, they were prepared at the TOC, but I do not recall seeing them.

Q. When you came to Vietnam from Hawaii, did you consider the training which had been given regarding the handling of prisoners of war and noncombatants adequate?

A. I got to Hawaii 6 weeks before we deployed. I do not know what training had been given prior to that time. I trained my own troops because I had some strong ideas of my own. I do not recall during that 6-week period ever getting anything from higher headquarters on treatment of noncombatants. We may have received some guidance, but I do not remember any.

Q. What did you use for training documents?

A. My own personal experience from Vietnam in 1965.

Q. Where were you in Vietnam in 1965?

A. I was assigned to an ARVN battalion and we operated primarily all over II Corps and III Corps.

Q. Were you an advisor to the battalion?

A. Yes, sir. I was an advisor.

Q. Was there a training procedure for replacement personnel coming in country?

A. It was a real transitional period. My personal impression was that the 11th was kind of thrown together at the last minute. Even though it had been formed a year, most of--I think about 50 percent of the personnel were people who had just returned from Vietnam and were nondeployable. So within that last 6-week period that I observed

we were leaving nondeployables and gaining brand new men who had just finished basic training. So some people got there with no time to be trained. My company first sergeant is a good example. He got there the day before we deployed.

Q. Got where?

A. To Hawaii, assigned to my company. The general's wife helped his family get settled. He arrived with his family and left the next day.

Q. What was his name?

A. Sergeant BRACY.

Q. What is his first name?

A. I cannot remember his name.

Q. His serial number?

A. I cannot remember his serial number or anything about him. He is the BRACY who had been a member of the "President's One Hundred" rifle team.

Q. E-8?

A. Yes, sir.

Q. Where were the training records kept? Do you know whether they were kept at the S3 or office--

A. (Interposing) Are you talking about Task Force Barker?

Q. I am really talking about the brigade because I don't think Task Force Barker would maintain training records.

A. No, sir, we did not as far as I know. I believe we put our company training records in storage when we left Hawaii and battalion training records were probably put at brigade level.

Q. What did you do with your training records for the individual soldier?

A. They were kept at company level before we were deployed. I am not sure, this may sound strange to you because I was company commander, but I am not sure where

they were kept after I got in country. There was no action required on the individual training records at company level after we got in country. Now that I think back on it, I believe they were kept at company level. All the training we received in country was for real, though, and I didn't have time to worry about recording it.

Q. Major TRINKLE, do you have any further information concerning the matters discussed?

A. No, sir.

Q. If you desire to give any additional testimony, you may do so.

A. No, sir.

Q. I want to advise you that at the termination of this testimony that I would like you to prepare maps that I have described.

A. Yes, sir.

(Following recess, MAJ TRINKLE prepared maps as requested. The maps were not admitted into evidence, however, inasmuch as they were determined to be of no direct relation to the investigation.)

COL WILSON: I want to caution you that this is a confidential investigation. It is being conducted for the Secretary of the Army and the Chief of Staff of the Army, and the Investigating Officer is General PEERS who will evaluate the evidence and make recommendations in accordance with his direction, on the lines which have been given to him to investigate.

You are not to discuss the investigation or the questions and answer which we have discussed in this interview except as you may otherwise have a right to do so in accordance with the law.

The hearing will recess.

(The hearing recessed at 1110 hours, 10 December 1969.)

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SUMMARY OF TESTIMONY

WITNESS: WATANABE, Masashi SFC

DATE OF TESTIMONY: 10 February 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: Platoon Sergeant,  
Third Platoon, A/3/1.

1. RECALL OF THE 16 MARCH OPERATION.

17 407  
The witness recalled the sapper attack on the company's position during the night of 17-18 March (pg.4). Captain RIGGS was the company commander and Lieutenant WHITE or Lieutenant LUNDEEN was his platoon leader (pg.5). Sergeant CARIS had the second platoon, Sergeant TUMACDER the first (pg. 5). The witness noted that the platoons rotated the duty of lead element, though not while moving (pg. 6). Since the second platoon had suffered casualties in the sapper attack, the witness felt that one of the others would be in the lead the next day (pgs. 6, 7). He stated that each platoon set up its own flank security during a move (pg. 7). He had no recall of a helicopter spotting a wounded VC and hovering in the area only to have the possible prisoner summarily bayoneted and shot by A Company personnel (pgs. 9-11). He could not recollect any reports or rumors of B or C Company actions that day (pgs. 11-13).

2. OTHER INFORMATION.

The witness related the names of various personnel in his company (pgs. 7-9).

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EXHIBITS

EXHIBIT NUMBER	DESCRIPTION	NOTES	PAGES
M-57	Instructions to witness	Read by witness.	1
MAP-4	Map 6739 II	Utilized.	6
MAP-5	Map 6739 II (small scale)	Wit oriented.	4

(The hearing reconvened at 1430 hours, 10 February 1970.)

COL ARMSTRONG: The hearing will come to order.

RCDR: The following persons are present: COL ARMSTRONG and MAJ COOP.

The next witness is SFC Masashi WATANABE.

(SFC WATANABE was called as a witness, was sworn, and testified as follows:)

Would you please state your full name, grade, Social Security number, branch of service, organization, station?

A. Sergeant Masashi WATANABE, Sergeant First Class, Company C, 3d Battalion, 14th Infantry, 4th Brigade, 25th Division, stationed at Schofield Barracks.

COL ARMSTRONG: Sergeant WATANABE, have you read the preliminary instructions (Exhibit M-57)?

A. Yes, I have.

Q. Do you understand them?

A. Yes, sir.

Q. Do you have any questions about them?

A. No, sir.

Q. I'm Colonel ARMSTRONG, and I have been designated by the Chief of Staff's office to assist General PEERS in this investigation that he is conducting. There are other such sessions going on where testimony is being taken from witnesses. However, General PEERS alone has the responsibility for digesting the testimony of all the witnesses--and there have been over 300 of them--and coming up with conclusions, writing the report, and making the recommendations to the Chief of Staff and the Secretary of the Army. He alone does this.

Would you please, Sergeant WATANABE, state the position you held in the Americal Division, the dates you joined it, the units you were in when you joined it, the service that you performed with them, the positions you were in, and the date that you departed the division?

A. Well, sir, I was a member of the 11th Infantry Brigade, 3/1 Infantry, Company A. We were stationed at Schofield Barracks at this time. When we were all ready to go to Vietnam, we left as a unit to Vietnam on, I believe, 6 December, approximately, and arrived about 15 or 18 days later at Quin Nhon. We moved up to Duc Pho and stayed there briefly. I would say about 3 weeks or so. Then we went to a fire base near there. I don't recall the fire base name. Then we were told that we were going a little north and form a task force named Task Force Barker. Our company from 3/1, A Company, of which I was a member, platoon sergeant of the 3d Platoon, joined Task Force Barker at that time. I believe this was in the end of January 1968. We went up to a fire base called fire base Dottie. For several months we were there and operated from fire base Dottie and also a fire base called Uptight. There were two fire bases. I believe we left there in the early part of April and joined back with our unit with the 11th Infantry Brigade, 3/1 Infantry. I'm not too familiar with the dates, but I know that we went back to our primary unit, 3/1 Infantry in the 11th Infantry Brigade.

Q. Would you believe 26 March?

A. Yes, sir.

Q. That you returned to your battalion?

A. Yes, sir.

Q. And how long did you stay? Did you stay in A Company all the time?

A. No, sir, I was infused to the 198th Brigade of the Americal Division in June, I believe, and I remained with them for the rest of the time until I rotated, which was 2 December.

Q. Now let's go back to last September or October. You were sitting in Schofield Barracks this last fall?



A. Yes, sir.

Q. And this was when the news broke about the My Lai incident.

A. Yes, sir.

Q. Now, everybody in the Army was pretty well shocked by this. Would you tell me whether this was strange to you, or were you more or less familiar with it, or had you heard something about it, or what was your reaction when the news broke?

A. Sir, when the news broke, I seen the name My Lai. It was familiar to me, but I couldn't picture it, or where it had happened. I didn't think of any connection with Task Force Barker at that time. I can remember the name My Lai, but I couldn't place where it was, or if I went to My Lai, or what. I couldn't be sure. I couldn't be sure. I couldn't place B/1/20 (sic) and Lieutenant CALLEY. That name wasn't familiar at all to me.

Q. Did it surprise you that this sort of thing had happened?

A. Yes, sir, it was. I didn't think it happened.

Q. Did you think it could have happened in your company?

A. I don't think so. I don't know, sir.

Q. You don't know or you don't think so?

A. It never did happen to our company.

Q. I see. Could it have happened?

A. It could, sir, if the circumstances in this situation--well, I don't know the situation, sir, but it could have happened to any unit, I guess. I don't know, sir.

Q. Now, I have here a roster of the company, (not received in evidence) and we're going to take a recess while you look at this. I can tell you that your friends who have

gone before you have already marked it up to a degree. I will show you what I want you to do. The hearing will recess.

(The hearing recessed at 1440 hours, 10 February 1970.)

(The hearing reconvened at 1455 hours, 10 February 1970.)

COL ARMSTRONG: The hearing will come to order.

RCDR: All persons present when the hearing recessed are again present.

Let the record reflect that the witness was shown a copy of special orders on which appeared the names of the officers that were in Alpha Company on 16 March 1968.

COL ARMSTRONG: Let me now brief you, sergeant, on the events of Task Force Barker about 15 March and the next several days after.

(Using Exhibit MAP-5, COL ARMSTRONG briefs the witness on the planning and execution of Task Force Barker operations on 16 through 18 March 1968.)

Now, does this fix this operation in your mind?

A. I know I remember a time that sappers got into one of the platoons.

Q. Captain RIGGS was in command?

A. Yes, at that time he was.

Q. Sergeant BRACY was back at Dottie, so was Sergeant RAVENCRAFT?

A. I know I was out there.

Q. You were out there?

A. Yes, sir.

Q. And you were the platoon sergeant of the 3d

Platoon?

A. Yes, sir, I was the platoon sergeant of the 3d Platoon at that time.

Q. Do you recall whether you had an officer with you?

A. The only time that I had a platoon leader, I think it was Lieutenant LUNDEEN or Lieutenant WHITE, I'm not sure.

Q. You may have had Lieutenant LUNDEEN or Lieutenant WHITE at the time?

A. Yes, sir, because I was only the platoon sergeant with no platoon leader at the time, and Lieutenant LUNDEEN took over after 2 or 3 days, but he took over. And after that we had Lieutenant WHITE who took over for a short, brief time.

Q. Was Lieutenant WHITE ever out on an operation in the field with you?

A. Yes, sir.

Q. When did you leave for the 198th?

A. I think it was after we returned to our normal unit. It was in June I believe. I knew Lieutenant WHITE got infused to the 198th also, but I don't recall exactly what time it was. During that operation, Lieutenant COKER was the head of the 2d Platoon.

Q. Who was the platoon sergeant of the 2d Platoon?

A. For this I believe it was Sergeant CARIS.

Q. Do you recall who was the 1st Platoon sergeant?

A. Sergeant TUMACDER.

Q. Okay, now I want to try to focus your memory on that march north from the Diem Diem River. This is after the sapper attack. You are starting to pull out of the Pinkville

area and go back across the river and go back north up into the area that you knew. And, as Captain RIGGS explained it, you broke up into small groups and moved around. Here is a 1:25,000 map which may help you even better.

RCDR: Exhibit MAP-4.

COL ARMSTRONG: This is where your company was in the blocking position. Here's where you came across. Here's where you were in night position. I believe you went in across over a bridge over into here, but maybe you went in across this bridge here and went on up.

A. Yes, I don't recall, sir.

Q. You don't recall, for instance, the 3d Platoon leading on the march going north?

A. No, sir.

Q. How did your company commander select the platoon that was going to lead the company.

A. He usually rotated it.

Q. From one day to the next, or one week at a time, or what?

A. Sometimes it was only one day at a time.

Q. All right. Now since the 2d Platoon had suffered casualties in that attack, would he put the 2d Platoon out on point the next day?

A. No, sir.

Q. He wouldn't have done that?

A. No, sir.

Q. So he probably would have put the 3d Platoon or the 1st Platoon out? Now, during the day, once the platoon is on point, did he change it during the day if you didn't run into any opposition?

A. No, sir.

Q. In other words, if you had it, you got it for the rest of the day?

A. If we didn't get any opposition. That is if all units were going on the same approaches.

Q. Yes. That is if you are all using the same trail.

A. Right.

Q. And you don't recall whether it was the 3d Platoon leading off or not?

A. No, sir, I don't remember.

Q. And, you don't know whether Lieutenant LUNDEEN was with you, or Lieutenant WHITE, or maybe nobody?

A. I don't recall. I think it was an officer, though.

Q. Did you always have an officer with you?

A. Yes, sir, except for a brief period of time when Lieutenant BALDWIN--at that time we went through all this area right here in Pinkville (indicating).

Q. Is this when you went into Pinkville?

A. Yes, sir.

Q. Tell me about that.

A. We operated down here (indicating Pinkville) and somebody was wounded.

Q. This was the third operation by Task Force Barker into this area. On 23 February one company went in. I understand it was B Company. And it was pretty well shot up, and they had to get tracks and get them out of there.

A. I remember when we were operating in this area here, and Captain TRINKLE got hit and was wounded. Lieutenant LUNDEEN was platoon leader, and he took over the company at that time. And after that I forget. I think it was later on.

Q. Was Lieutenant BOYD with the company then?

A. He got wounded right over here.

Q. All right. That was 23 February when that captain got hit--when Captain TRINKLE got hit. So this was after that. Lieutenant BOYD had already got hit, and possibly Lieutenant LUNDEEN was your platoon leader?

A. Yes, sir.

Q. Can you tell me who your squad leaders were?

A. I remember Sergeant CHAPPEL. He was one of my squad leaders.

Q. Okay. Who else?

A. I believe it was SUMMERS, I think I have SUMMERS marked there. I think SUMMERS was one of them. He was a specialist four, I believe, at the time. I didn't mark it down though.

Q. Well, SUMMERS was no longer in the company.

A. There was one named ZAMORA.

Q. You've got him marked here. How many squad leaders did you have?

A. Four, sir. I had four squad leaders.

Q. You had four squads?

A. Yes, sir.

Q. Three rifle squads and one machinegun squad?

A. Right, sir.

Q. What is the TL?

A. That's team leader, sir.

Q. RTO, Timothy J. SILVERS, right?

A. Yes, sir.

Q. Do you know where SILVERS is now?

A. No, sir.

Q. Is he still in the Army?

A. I don't know. I doubt it. He was one of the RTO's, I know. And MOORE, Ed MOORE, was another RTO.

Q. MOORE?

A. I don't recall whether MOORE got wounded before the operation or after the operation, or during the operation.

Q. Ed MOORE?

A. Yes, sir, he was one of my--

Q. (Interposing) Let me ask you, who was the company RTO?

A. The company RTO....

Q. GIBBS?

A. Yes, he was the one.

Q. All right, let's go back. Now, when you're operating in the company and you're going down across a trail or across the rice paddies as a company and you have a platoon out as point, who was your flank security? The leading platoon?

A. No, sir. Each platoon used to send several guys out to the flank whether he was leading platoon or not, a couple of men from each squad on the left and the right. If we were under fire, it would be columns.

Q. So if your company was moving along and the overhead choppers that were giving you cover saw something on the flank, the leading platoon would probably send the men over there to check it out?

A. Yes, sir. Either that or they'd just halt the column and send a special squad out to the location.

Q. Did you recall in this operation where the company was held up? Two choppers were flying overhead, one high and one low, and one of them starts circling out to the left front?

A. No, sir, I don't recall.

Q. And he was circling for 20 minutes. And finally some two men left the column and went over 200 to 300 meters to the flank of the company and one or two shots were fired. And then they came back. Do you recall this incident?

A. No, sir.

Q. If it would have been in the 3d Platoon would you recall it, do you think? If you had been the point platoon, if you would have had to send two men out there?

A. No, sir, I wouldn't even have remembered.

Q. You wouldn't have remembered that?

A. No, sir.

Q. Would you remember a radio message coming down where that chopper pilot was so angry he couldn't see straight? And he chewed the company commander out, and then the company commander chewed a platoon out--whether it was a platoon leader or a platoon sergeant, I don't know--over the radio for the unnecessary shooting of a Viet Cong?

A. No, sir, I don't recall.

Q. You don't remember hearing anything about this?

A. No, sir.

Q. And the pilot was so mad because he had exposed his chopper and the crew for 20 minutes hovering to try to capture this man. And a radio message came down, and you don't remember anything at all about this?



A. No, sir.

Q. Well, in the company command group, the message came to the platoon, "Why did you shoot that guy?"

A. No, sir, I don't recall that.

Q. And the platoon leader came back and asked the man who had gone over and shot him, "Why did you shoot him?" And, the guy says, "Sh-h-h-h-," and the platoon sergeant said, "Didn't he have a grenade in his pocket?" And the guy says, "Oh, yeah, yeah, he had a grenade in his pocket: he was a VC."

A. No, sir, I don't recall.

Q. Can you think of any man in your company that would do such a thing? Stick a man with a bayonet who's lying on the ground? Stick a bayonet in him and then shoot him?

A. No, sir, I don't recall anybody doing that.

Q. Did you hear about it?

A. No, sir.

Q. Let's talk about it now, and let's get your mind back to Bravo and Charlie Company. Did you ever hear about what they did in that operation?

A. No, sir.

Q. How they came out?

A. No, sir.

Q. Do you remember the body count that came out: 128 VC killed, 2 U.S. killed, 11 U.S. wounded, 3 weapons captured?

A. No, sir, I don't recall, sir.

Q. Do you mean that those numbers don't hit you at all?

A. No, sir.

Q. What would you think about numbers that said 128 killed and 3 weapons captured?

A. I would say that came out with something being wrong, that much dead with that much weapons. Definitely that would be something messed up.

Q. That body count was the biggest body count in the 11th Brigade since it had arrived in Vietnam from Hawaii. Does that ring a bell?

A. No, sir.

Q. Now, A Company didn't say they killed any. A Company had no body count.

A. I don't think we killed anybody that day. We just remained in position.

Q. That's right. And, wouldn't you have been sort of jealous of the other two companies because you had to hear the count. You mean the RTO of the company didn't put it out to the platoons that Bravo and Charlie Companies really had a day? Weren't they used to talking like that?

A. No, sir.

Q. If one of the companies at battalion really did a good job or something, did you ever hear about it?

A. No, sir. It was very seldom that we heard anything about the other units because we were always out or in the base.

Q. You don't hear about the other companies?

A. No, sir. I haven't even met the other companies. When Captain TRINKLE got wounded, that's the only time I met the companies. We heard something about the operation in the area, that we were going to be taking their place, and stuff like that, but as far as what they had done and what they were doing, very seldom.

Q. Look, you have a long plane trip back to Hawaii.

A. Yes, sir.

Q. And there are some things that I have been telling you that might bring somethings back into your mind. It's been a long time, and we know it has, but we also know that after interrogating some 350 people, which we have--we have seen about 350 people--that sometimes what we talk about jogs their memories. And they get away from here, and they start thinking about that, "Yes, by God, that was that operation," and you start really remembering some things. If you remember anything, get in touch with us. Okay?

A. Yes, sir.

Q. You call us by phone. Let's see, maybe in the afternoon?

A. All right, sir.

Q. And I want to remind you that you are not to talk about anything that we have talked about to anybody.

A. Yes, sir.

Q. Unless it's a judicial, or congressional, or administrative investigation. I don't think that you'll be called to the congressional committee, but we give them a list of everybody that we call, and if they call you and if they ask you, well, you're perfectly free to tell them anything that you know. But outside that type of thing, well, you cannot discuss it. You're a soldier. You will not discuss this. To the civilians we say, "Please don't discuss this." And if you can remember anything at all, sergeant, I would sure appreciate it.

A. Yes, sir.

Q. Now, what I want to do is find out, did this thing occur? Did this shooting out there of this VC occur? Did A Company do it or didn't it happen? Now, we have an indication that it did happen. Whether it was A Company or not, I'm not certain, but we're pretty sure that it was A Company. If this was done, we should straighten it out.

A. Yes, sir.

Q. And I'm sorry if somebody gets hurt in it, but you don't go around shooting prisoners, period.

A. Yes, sir.

Q. Now, also, we always ask everybody if they would like to ask any questions or if they would like to make a statement for the record, and I shall so ask you now?

A. No, sir, no statement.

COL ARMSTRONG: The hearing will recess.

(The hearing recessed at 1525 hours, 10 February 1970.)

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SUMMARY OF TESTIMONY

WITNESS: WHITE, George C. CPT

DATE OF TESTIMONY: 14 February 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: Platoon Leader, First Platoon, A/3/1.

1. ACTIONS OF A COMPANY, 16-19 MARCH 1968.

The witness explained the blocking position established by his platoon of A Company near My Lai (3) on 16 March (pg. 6). After taking casualties from mines and having the wounded medevac'd his platoon moved to another observation position to the west (pgs. 8, 26, 27). The witness explained the movements and laager positions of the platoons in A Company for the 16th and 17th (pgs. 6-10). He noted that on the evening of the 17th the laager position was attacked. Two men were killed and five or six wounded. The wounded were medevac'd that night, but the dead were not carried out until the next day when Colonel HENDERSON and Lieutenant Colonel BARKER came in to speak with Captain RIGGS (pg. 11). He could not recall any helicopter cover for their movement on the 19th (pgs. 16, 19, 20), nor could he recall any helicopter pilot radio a harsh message to the A Company commander concerning an infantryman unnecessarily killing a wounded Viet Cong (pgs. 20-22).

2. THE WITNESS' MONITORING OF THE RADIOS.

The witness stated that his PRC-8 was on the same frequency as B and C Companies' PRC-8's (pg. 7). He heard the mention of some contact and casualties, but nothing substantial (pg. 7). He heard no mention of civilians being killed (pgs. 26, 27), but he added that for a period he was

(WHITE)

1

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so interested in evacuating his wounded, he was not monitoring the radios (pgs. 26, 27). B Company was not moving or receiving fire (pg. 8). He heard a lot of firing from C/1/20's area (pg. 7).

3. KNOWLEDGE OF AN INCIDENT.

The witness had no knowledge of any atrocious behavior on the part of C Company, although he felt he would have known about it (pg. 23). He added that he never saw any brutal or atrocious behavior during his entire tour (pg. 24). He could recall no rumors of an incident as is here alleged and had no knowledge of any investigation concerning such (pg. 27). In later conversations with Lieutenant CALLEY nothing was mentioned to indicate to the witness that wholesale killing of civilians had occurred (pg. 25).

EXHIBITS

EXHIBIT NUMBER	DESCRIPTION	NOTES	PAGES
MAP-5	Map 6739 II (small scale)	Wit oriented.	5
		Utilized.	6

17

(The hearing reconvened at 1155 hours, 14 February 1970.)

IO: The hearing will come to order.

RCDR: The following persons are present: COL ARMSTRONG, MAJ ZYCHOWSKI, and MAJ COOP.

Sir, the next witness is Captain George C. WHITE.

(CPT WHITE was called as a witness, was sworn, and testified as follows.)

Q. Will you please state your full name, grade, Social Security number, branch of service, organization and station?

A. Captain George C. WHITE, Infantry, Army, in transit from Fort Ord, California to Fort Stewart, Georgia.

Q. And your Social Security number?

A.

COL ARMSTRONG: Captain WHITE, have you read the instructions (Exhibit M-57)?

A. Yes, sir.

Q. Do you understand them?

A. Yes, sir.

Q. Do you have any questions about them?

A. No, sir.

Q. I want you to know that several groups such as this are taking testimony from various witnesses. They include civilian lawyers who volunteered their services to the Secretary of the Army to assist General PEERS in this inquiry and also to provide him legal guidance and counsel.

I'm Colonel ARMSTRONG and I have been assigned by the Office of the Chief of Staff to act as an assistant to General PEERS. Major ZYCHOWSKI is another officer who has been



designated by the Chief of Staff to assist. Over 300 witnesses have appeared, much data has been gathered. It falls on General PEERS himself and only General PEERS to absorb all of the testimony, to write the report and come up with the conclusions and recommendations.

General PEERS and several of his staff have visited Vietnam. They have gone to the various headquarters, they have gone over the ground, they have seen everything that it is humanly possible to see, with a view that we leave no stone unturned in this thing.

I have been asked to talk to Alpha Company people. The way I conduct this questioning and try to get what you know out of you, is to tell you that I realize that it has been over 2 years or about 2 years since then. This is a long time to have to start remembering details. Having also been a rifle company officer in combat, I understand how you remember details of tactical operations that you happen to participate in. So, with a little bit of understanding we try to put you at your ease, because you have the information that we desire, which can help us out. You may be able to fill in a little or you may not. You may have information that you don't even consider significant, yet would be significant. It's highly important that you be relaxed and it's important that you understand the technique I will use. Basically, I'm interested in milking your brain. To do this, I will feed you a little bit of information with the hope it might jar a little information out of you, or may trigger something in your brain to make you remember. To do this, I will go into the operation of Task Force Barker, through 15 to 26 March 1968. I'll go over this as we know it, hoping that this will again put you in the framework where you can remember. Before we do this, however, there are a couple of questions I would like to ask.

Would you define the dates of your service in the Americal Division and the duty assignments that you had in the Americal Division?

A. Yes, sir. I went over with the 11th Brigade from Hawaii. I believe we left on 6 December 1967. Upon entering Vietnam we made base. The initial base was at Carantan, which no longer exists, I believe. 3/1 Infantry had been convoyed out to there. I was in the 1st Platoon of Company A, 3d Battalion.

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Q. You were 1st Platoon leader?

A. Yes, sir.

Q. A/3/1?

A. A/3/1. We went up initially to Mo Duc area and worked there approximately 2 to 3 weeks. Then A Company was pulled out to move further north, north of Quang Ngai City, to form Task Force Barker.

Q. Do you recall about when this was?

A. I believe, sir, it was the second or third week of January.

Q. Okay. Was this before or after Tet?

A. Before Tet, sir. Just shortly before Tet, so I believe it would be around the third week. Approximately the second or third week of February, I changed from the 1st Platoon leader to the 3d Platoon leader. Approximately 22 or 24 March, I was infused to the 1/6 Infantry, the 198th Brigade.

Q. You departed the 22nd?

A. Or the 24th.

Q. To where?

A. I was the 1st Platoon leader of D/1/6 with the 198th. In August 1968, I went to Echo Company, same battalion, and remained there until my tour ended in December.

Q. In December you rotated back to the States?

A. Yes, sir, December.

Q. In September or October of this past year, just last fall, the news media broke stories about the My Lai operation of Task Force BARKER. Would you please comment on whether or not you have had any opportunity to discuss this incident with any of your old comrades from the Americal Division?

A. Yes, sir. Soon after it was publicized in the newspaper. Lieutenant CALLEY and I were also in the same battalion of the 198th. I didn't know him at all until then.

Q. Well, this is 1969, I'm talking about.

A. Yes, sir, I'm referring back to that. I did know Lieutenant CALLEY fairly well, so immediately I went down to legal assistance and wanted to volunteer my information there. The captain there, I'm not sure what his name was, he was the chief of legal assistance branch; I called Fort Benning, Georgia, Major RABY, and I made up a statement of information I knew, points leading up to the My Lai operation. I submitted that to him.

Q. So in substance you discussed this officially, with legal people and forwarded such findings to the legal officers in Fort Benning, Georgia?

A. Yes, sir. I asked this captain, the legal assistance officer. I didn't particularly care who I gave my information to, I just wanted to let it be known, so he referred me to Major RABY under the fact, if it could be used by the defense counsel or the trial counsel it would be made known to both, if it was submitted.

Q. What post were you on?

A. Fort Ord.

Q. Could you very quickly give the gist of the information that you forwarded to them?

A. Starting from the time the task force was formed, contacts and events leading up to the My Lai operation and my job in the My Lai operation.

Q. How significant were the events as you knew them in the My Lai operation?

A. Well, sir, in reference to the My Lai operation itself, nothing that I saw or heard over the radio during that operation would point toward anything that has been publicized.

Q. That was the essence of the information?

A. Yes, sir.

Q. You have not discussed with any other former buddies in the Americal any of the incidents leading to this or anything of substance since last October, or since this broke in the newspaper?

A. After I submitted that statement to Major RABY, Lieutenant CALLEY called me up but we didn't talk about the My Lai operation at all. It was a very brief conversation. In fact he had me confused with another Lieutenant WHITE at the time. I also talked with Private EIKENBERRY, out in the hall; we didn't talk about the My Lai operation.

Q. You just saw EIKENBERRY out--

A. (Interposing) People that we knew and that was it. No one else from the Americal Division.

Q. EIKENBERRY didn't tell you about any testimony that he gave yesterday?

A. No, sir.

Q. I point this out, because it is part of the instructions. It is very important that you not discuss anything that takes place in this room with anyone and particularly people who are going to be witnesses.

A. Actually, sir, he's the only one I have seen from my old unit, actually the whole task force.

Q. If you had been here yesterday, you would have seen about five of your old buddies.

A. That's what I understand.

(The witness was briefed on Exhibit MAP-5 and the My Lai (4) operation.)

Q. Captain WHITE, will you explain the operations of Task Force Barker as you understood them from your position as a

platoon leader in A/3/1, starting about 15 March until you departed the company?

A. Yes, sir. May I refer back?

Q. You may refer back to the map, it is perfectly alright.

A. Alpha Company was up on LZ Uptight. We received the order to move south, and we were put in a blocking position on the north side of the river, which I refer to as our southern boundary, our AO boundary.

Q. That is the Diem Diem River.

A. My platoon on the night of the 15th, night-laagered up not too far away from Phu My.

Q. Can you give the approximate coordinates on that?

A. Yes, sir. Approximately 726828, right around the area. We did have a portion or all of our mortar platoon with us. We received our briefing on what was going on the next day on the combat assault. My position was a blocking position, directly north of this cement bridge that crosses to My Lai (3). Directly north, there was a small village right there. I set up on the south side of it, where I could observe east and west. The other two platoons, the 2d Platoon was on my left, east of me, more in the area of My Lai (3), I believe.

Q. Toward the island?

A. Yes, sir, towards the island. Either that or on this island.

Q. This is the bridge here?

A. Yes, sir, that is where I was. Here is the village here or about there.

Q. And the 2d Platoon you think was on My Lai (3) hamlet island, in the middle of the river?

A. Yes, sir, in that vicinity. The 1st Platoon was in a blocking position approximately at coordinate 710819. All

three units were north of the river. Approximately 0700 hours, or thereabouts, Charlie Company CA'd into the area now known as My Lai (4). I don't know exactly where they landed, I wasn't observing. Approximately a click away, 1000 meters away from my location. I know for a fact, that they did have gunships with them. As far as the extent that they were used, I'm not sure. The operation, as you said, there was a lot of firing during the morning hours. There was some burning and I couldn't estimate how much. Our whole brigade had PRC-8's and for some strange reason, all these radios were on the same frequency. I did monitor the Charlie Company down to squad level on the radio receiver on my helmet. During this time, we were in a blocking position.

Q. May I interrupt a minute? To what detail do you remember those radio transmissions?

A. Not really, sir. I know a few times there were casualties mentioned, some contact throughout the thing. I don't remember any one specific thing that would really draw my attention to it, no, sir.

Q. Continue. Excuse me for interrupting.

A. At the time I was in the blocking position, my platoon had been in that blocking position before. The right flank of my platoon, the assistant gunner, a new replacement got up and moved around to the other side of one of the machine-gunners and stepped on a mine, wounding himself and killing the machinegunner.

Q. Do you remember the machinegunner's name?

A. Yes, sir, COOKE. I don't remember the other man's name. Immediately, I called for a dustoff, medevac. We were having trouble getting one. At the same time, there was a medevac coming into Charlie Company. He couldn't get ahold of the company commander, the medevac couldn't and I had moved my radio up to a dustoff frequency and was monitoring. I offered my assistance to try to get ahold of him on another net. At this time, I mentioned the fact that I had casualties, and he came in and picked up my two people. My RTO, again I don't remember his name, put those two men on the

helicopter. That made two men wounded and one killed. Then another dustoff, I was talking to another one that was trying to get ahold of the company commander and I was talking to him on the radio when it happened. I said, "Hold it, I've got another casualty. I put it down and I went over to help the guy. He was just a little way away from me. At that time, he still couldn't get hold of the company commander and he came in without any instructions, to pick up this one man of mine before my people had a chance to help them off. At this time, I notified the company commander of what was going on. I had to give him my observation responsibility temporarily so I could move to another location. It took about an half hour or 45 minutes to probe our way out of that section of the area and move around and try to get into an observation position to the west.

We were faced, then, with approximately the same thing that was going on in Charlie Company. Like I said, nothing specific over the radio, nothing at all one way or the other that would draw my attention, nothing that I could remember. I'm sure if there was something drastic, I would remember, but I don't have any knowledge.

Q. Let me ask you this, were you at the same time getting transmissions from the squad radio in Bravo Company?

A. Yes, sir, I believe so. I don't think there were too many, though, because neither my company nor Bravo Company was moving at the time nor receiving any fire of any consequence, where we would have to use the squad radios. I'm pretty sure we let it go just to Charlie Company because they were in contact position.

Q. What I'm really getting at, I can't understand the squad radios in one brigade being on the same frequency.

A. Sir, we received these squad radios just before we departed to Hawaii and they couldn't get crystals to change the frequency. All were on 51.0.

Q. That explains it.

A. I believe I was the only platoon to take casualties in the company that day or in that particular operation. To

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tell you the truth, I don't remember what we did after that operation. I know that one incident you remarked on. I don't remember whether that happened after that operation or before.

Q. That night?

A. Yes, sir, I don't know whether it was after the operation.

Q. The night of the 17th?

A. I'll refer to it as that, sir.

Q. That was the night of the 17th because the company went across the bridge on the afternoon of the 17th and went into a night defensive position, 200 to 300 meters to the south, and I believe west, of the bridge.

A. All right, sir, I'll take it from there. I remember everything in detail. The 1st and the 3d Platoons went south of the river again that evening.

Q. The 1st and the 3d Platoons?

A. Yes, sir.

Q. Where did the 2d Platoon--

A. (Interposing) I was just going to give you that.

The 2d Platoon spent the night up on coordinates 695815 north of the river. The 1st and the 3d, I don't remember the area that we spent the night, sir, exactly. Approximately, but not exactly.

Q. You mean this is the night of the 17th?

A. 17th, yes, sir.

Q. I can tell you exactly where you spent the night. Your company went into a laager position right in here (indicating).

A. The pagoda was right in the--



Q. (Interposing) You think the 2d Platoon moved over Hill 108?

A. Yes, sir. They stayed up there on observation. I know because we only had a total of two platoons, only about 40 or 45 men. All three platoons were understrength, way understrength. We had our mortars with us in that perimeter. We sat in our perimeter. We dug in positions, 1st and the 3d. The reason I remember the 1st and 3d because the 1st was my old platoon and those were the people that took the casualties. Everything was quiet until exactly 2145 in the evening. I was up at the company CP talking to Captain RIGGS, exactly 2145, I was looking at my watch when it happened, small arms fire commenced and an explosion. First we thought it was a mortar attack. There was a series of approximately six to eight explosions. Captain RIGGS and I left the CP. I checked half the perimeter and he checked the other half. The half he checked was the 1st Platoon where the casualties were. I checked my platoon and had no casualties. At that time, no one had any idea what was going on. At the time, there was two men killed and I believe five or six wounded. One of the men killed was a squad leader, Sergeant GREENFIELD.

Q. GRESHAM?

A. I don't remember the other man that was killed.

Q. SP4 CRUZ (phonetically) was wounded, do you remember that?

A. Yes, sir, I remember CRUZ very well. He was an SP4 at that time. He was the man that ran out of the perimeter. He saw what was going on, he ran out, started to thinking, believing that someone was attacking us, which we still weren't sure of. Captain RIGGS called a medevac, then he put me on the medevac frequency to bring the ship in. We were in a very, very tight position. We had trees surrounding us and they ran right next to this pagoda. So I had to give the pilot an azimuth. We put out lights. He had to land on a pile of rocks. He had to come straight down and go straight up. We loaded the wounded on. We didn't load the dead on. The next morning, I believe it was Colonel HENDERSON, a lieutenant colonel, I believe he said was Division Artillery--

Q. Colonel LUPER?

A. I'm not sure about the name, and Colonel BARKER came in. He came in right after the first night. We discovered the safety levers from the handgrenades and knew what went on. They came in, he talked to Captain RIGGS and looked around a little bit and then left. Soon after they left, the ship that they left in, we sent the two dead men out, either with them or right after they left.

Q. Would it help you to remember if I told you the first sergeant thinks he went out and picked up those two dead men?

A. I couldn't recall, sir, I know it was fairly soon after that.

Q. Okay, go ahead.

A. We broke our night defensive position, went north across the river and joined up with the 2d Platoon. And after that--

Q. (Interposing) You joined up with the 2d Platoon up on the hill?

A. No, sir, I'm not sure it was up on the hill or just north of the river. I'm not sure it was up on where they were or below where they were. We moved north of the river.

Q. The task force log reports the night position of the company that night of the 18th on top of Hill 108.

A. The night of the 18th it may have been, sir, I'm really not sure.

Q. Do you recall the operations or the movement of the company on the 19th?

A. I believe we started to head towards the coast. I believe it was right in here on the Chau Me. We were told that there were some ARVN soldiers, wood cutters, come in to cut wood and wanted us to secure the beach for them. I'm not

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sure about the exact date, but we were there. The day I left, I was going in to be infused. I left from the beach.

Q. On the night of the 18th the company gave its location here. On the night of the 19th the company gave its location as 758857.

A. Yes, sir, excuse me. I remember being on the sand dune at night. We had a hard time. I remember that was two nights before I left. We dug in our position into the sand, nothing happened that I remember. Wait a minute, I'll take that back. Either that night or the night after, one of the 1st Platoon ambushes on the beach saw a party of women carrying fish down the beach and we stopped them. They didn't kill anybody or shoot anybody, shot at and missed. We stopped and picked them up, either that night or the following night, sir.

Q. The next night, the 20th, according to the log, the company bivouacked at 741869, which would put it right in here. That's the company.

A. I don't remember that night, no, sir.

Q. You say you left about the 23rd?

A. Between the 22nd and 24th.

Q. That must have been a day before you went back to Dottie and picked up your stuff.

A. Yes, sir, then I went back down to Bronco and I had to pick up my records, my legal records.

Q. Let me ask about that day of the 19th. Let's go to the march on the 18th, and march on the 19th, can you picture this?

A. The 18th is one that we had the casualties that-- at this time, or was that the 17th?

Q. The evening of the 17th you had the casualties in the ground attack according to your testimony. The night and

the morning of the 18th you moved out of that area after being visited by Colonel HENDERSON and Colonel BARKER and the artillery colonel and moved over to the same position the 2d Platoon had been in.

A. Yes, sir.

Q. Can you recall for me if EIKENBERRY had any duties as the company left the area?

A. When we were on the hill that night?

Q. No, the area where you had been attacked down by the pagoda.

A. No, sir. I don't remember any duties at all.

Q. As I understand it, EIKENBERRY remembers he had to blow three grenades. The company pulled off about 400 meters and he and DAVIS stayed behind and blew these three grenades. Then they hurried up and caught up with the company.

A. It's possible, sir.

Q. He pointed out that once they were thrown, they didn't go off.

A. I do remember something about grenades but I don't remember EIKENBERRY.

Q. EIKENBERRY informed me that he was more or less the demolition expert in the company.

A. He was a tunnel rat and did use most of the demolitions.

Q. DAVIS carried a lot of extra demolitions for him?

A. Yes, sir.

Q. So this seems to be reasonable.

A. Yes, sir.

- Q. Now when the company moved out, do you recall the formation it moved in? They went back across the bridge?
- A. No, sir, I'm afraid I don't.
- Q. You wouldn't know whether your platoon was leading?
- A. That's what I'm thinking about, which platoon was in the lead.
- Q. You had two platoons, now who was your platoon sergeant at that time?
- A. Sergeant WATANABE.
- Q. Sergeant WATANABE was the platoon sergeant?
- A. Yes, sir.
- Q. What platoon did Sergeant CARIS have at this time?
- A. 2d Platoon, sir.
- Q. Sergeant ZAMORA was with you?
- A. Yes, sir.
- Q. And Sergeant WILLIAMS was with you, Bobby WILLIAMS?
- A. I believe so, sir, I remember him, but he left the company.
- Q. That is right, he left right after you did, practically with you. He went up to the 198th, to another battalion.
- A. He was in the 3d Platoon.
- Q. That is right. But CARIS at this time was the 2d Platoon sergeant.
- A. And WATANABE was our platoon sergeant.
- Q. Do you remember Sergeant BENGGE being along?

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A. I believe he was with the mortar section, sir, and the mortar section was along with us.

Q. He explained that he didn't have any tubes with him but he had a squad of people with him as a security element for the command group.

A. Yes, sir, that's the way it was usually run but we had mortars the night CRUZ got hit. That's all that I specifically remember. Whether Sergeant BENGÉ was there that particular night or not, I don't know.

Q. He was there.

A. We did have mortars because I remember their setup.

Q. Now when you moved out on the 19th, going across from the high hill over to the beach on the other side of Uptight, do you recall the formation you took?

A. I believe I was in the lead, sir.

Q. Now, let me ask you this. Did you have any chopper cover?

A. Not that I recall.

Q. Did you often have Primo choppers covering you?

A. The only time I remember having Primo choppers was a few weeks before the My Lai incident when we had Captain SHELTON. It was extremely hard for us to get helicopters. We would go out, resupply sometime. When we did, it was usually by Colonel BARKER's command ship, and many times he didn't have a command ship. As far as support goes, we didn't get very much at all. It is only one time particularly that I remember using Primo. We had one small helicopter that had one or two door gunners. I'm not saying that we didn't have them at any other times, but they were the only times I remember.

Q. You didn't have two ships?

A. I don't believe so, sir, I think it was only one.

Q. And this was an H-23 as you recall?

A. Yes, sir.

Q. And this was not 19 March?

A. No, sir. The time, like I said, that I remember specifically that we had them was when Captain SHELTON was with us.

Q. And that was just one that you recall?

A. Yes, sir.

Q. Do you recall anything that brings that out in your mind?

A. Yes, sir, because he buzzed over us very low, right above me.

Q. And he was flying cover for the company?

A. Yes, sir. They found what he thought was a VC at the time so a couple of men got in the helicopter. We were just on the north side of the river. Supposedly this VC was on the south side of the river and a couple of men got in the helicopter and flew over. That is another thing I remember.

Q. Do you remember an operation, also several weeks before My Lai as I understand it, where a chopper cornered a VC with a carbine and EIKENBERRY went out with DAVIS and brought him back?

A. No, sir, I don't remember.

Q. That was the day that DAVIS got wounded.

A. The day that DAVIS got wounded, sir, I wasn't with the company. This was when Captain TRINKLE was in charge. This was quite a while before the incident. This happened about 3 or 4 days before this. One of my men got hit with a booby trap and I caught a piece of shrapnel, so Captain TRINKLE left me as his acting executive officer and Lieutenant

LUNDEEN--also Lieutenant LUNDEEN was out there when Captain TRINKLE got hit. But I wasn't out there.

Q. You weren't there when TRINKLE got hit?

A. No, sir.

Q. Were you there when SHELTON got hit?

A. Yes, sir.

Q. I understand that SHELTON and TRINKLE got hit on the same bridge.

A. Same approximate area, within a few hundred meters.

Q. Did you have any other officer besides yourself and Captain RIGGS out there in this My Lai (4) incident? You had the other two platoons?

A. Lieutenant Donald COKER. The other lieutenant, he was a first lieutenant, he had just come to our company. I can't remember his name. He ETS'd in June of 1968, I remember that. I heard about it but I can't think of his name.

Q. LUNDEEN, BOYLES, COKER.

A. He wasn't there very long, sir, he was at one time in Echo Company first. I can't think of his name.

Q. Was he in this operation, do you recall?

A. I think he was, sir. He came before this operation. He had the 1st Platoon, my old platoon. I'm pretty sure he was on the operation. I can't definitely say yes because he was kind of in and out. They were having some trouble with them. I couldn't say yes or no exactly, where he was specifically.

Q. Now you had been wounded and you were acting as the XO of the company, can you recall the period?

A. Well, it was about a day or two before Captain TRINKLE got hit.



Q. He got hit on 23 February?

A. I would say it would be around the 20th, sir, approximately.

Q. How long were you acting executive?

A. Well, he got in the 23d. As soon as he got hit I was out on the 24th or 25th.

Q. The company pulled out of there the 24th by APC's.

A. Right, sir, they pulled out that night. Lieutenant LUNDEEN was in charge of the company. They came back to LZ Dottie, but as far as the platoon leader, I joined them the 25th or right around there.

Q. So you were gone about 21 to 25 February and Lieutenant LUNDEEN went back in. All the other time, you were the platoon leader of either the 1st or the 3d?

A. Yes, sir, the 3d Platoon had Lieutenant BOYLES as a platoon leader. Shortly after he got shot, I took over the 3d.

Q. When was this, shortly after he got hit?

A. Yes, sir. He got hit approximately 15 February, and I took over, I'd say approximately the 17th, just a couple of days. I'd have to push that; I'd say it would be around 4 or 5 February. I took over the 3d Platoon, sir, because it was quite a while between the time that I took over the 3d from Captain TRINKLE. I got wounded in between there, I believe. As far as the exact day I took over the 3d, I'm not sure. Captain TRINKLE was there.

Q. But you took it over a couple of days after BOYLES got hit?

A. Yes, sir.

Q. Okay. Well, I can determine that. Now EIKENBERRY was the company tunnel rat?

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A. Yes, sir, I would say he was.

Q. And a demolition guy.

A. I would say he was used as that. I don't know whether he was officially designated as that, but he was used as that.

Q. He was assigned to the 3d Platoon? Was he always with the 3d Platoon while you were with them?

A. I believe so, sir, except for the times he was with other platoons on demolition.

Q. Was he assigned to one of the squads or kept in platoon headquarters?

A. He was assigned to one of the squads, sir. I'm not sure which one it was.

Q. You don't know who his squad leader would be?

A. I think it was CRUZ, but I'm not positive. It was either CRUZ who was his squad leader or team leader.

Q. CRUZ was a SP4 at the time but you don't recall who the squad leader was?

A. No, sir.

Q. Let's go back to marching along. You are in a column of platoons and probably in a column of squads.

A. Going to the beach. I don't remember anything specific happening until that night that the 1st Platoon caught those women carrying the fish down the beach.

Q. Let me see if I can refresh your memory. You actually have chopper coverage?

A. Not that I recall, sir, we very seldom got it for just movement. In fact, I don't remember getting it at all for just movement.

Q. The time I'm thinking about, it may not have been the time. The company had chopper coverage. You had two choppers, you had two H-23's and one of them, the one flying the deck, cornered three Viet Cong off to the front left of the company. Two of them jumped into a cave or spider hole or whatever, anyway disappeared, but the other one was pinned down along a rice patty, dike, and he circled over this guy for about 20 minutes, does this ring a bell?

A. No, sir, it doesn't at all. Like I said, I don't remember any time that we even had choppers much less for coverage except for that one time I remember with Captain SHELTON. We just didn't get support like that.

Q. He circled and he circled and circled, and all the time he was calling for somebody to come out and pick this guy up. When they got out there, these riflemen did something that made that pilot so mad he couldn't see straight. He just chewed the hell out of the company commander.

A. That still doesn't ring a bell.

Q. Something to the effect that he spent 20 minutes out there keeping this prisoner cornered, exposed his ship and crew and himself and they went out there and shot him. Do you think you would recall that?

A. I think I'd recall it. I think I would recall if we had chopper coverage. In fact, I do recall one thing but I don't know whether it was this specific time. I remember the walk toward the beach. It was either that day or another. It was very boring because it was hot and we were getting kind of tired. We didn't have the slightest idea when we were going to stop or night laager. Whether it was at this time or not, I'm not sure.

Q. Well, RIGGS would be in command?

A. If I was in the lead, which I believe I was at this time, I feel sure I would remember it.

Q. You have absolutely no recollection?

A. Nothing at all, sir.

Q. If one of the other platoons had been in the lead, could this have happened without you knowing it?

A. Yes, sir.

Q. Even the chewing out over the radio, because that chopper was on the company net not the battalion net?

A. If it was on the company net, more than likely the RTO would have brought my attention to it. I don't remember any action at all going to the beach.

Q. Would you recall this sort of an event occurring where a pilot called up your company commander and chewed him out and raved because he had exposed himself and his equipment and his crew unnecessarily, because when the riflemen got up there they eliminated the guy?

A. Sir, I don't recall anything about that. In fact, I know I would if I was involved in it or if I was near it, and I know I would if I was listening to it on the radio.

Q. As the riflemen went up, this guy looked at them because he was lying down along the dike, looked up at him. The rifleman jabbed him with a bayonet and shot him through the head and turned around and walked back. The chopper pilot got real mad. Perhaps you could understand why he would.

A. Well, was this bayonet fixed to the rifle?

Q. Yes.

A. I can't recall anybody that ever carried a bayonet fixed to the rifle.

Q. Your people did not carry bayonets fixed to the rifle?

A. No, sir, we did not. I used to do that when I was in the 198th, just to stick my weapon in the ground while looking at the map. We used them temporarily when we were searching hay stacks or something.

Q. In a company, you didn't fix bayonets very often?

A. No, sir.

Q. What about the other platoons?

A. Well, they didn't in the 1st Platoon or the 3d Platoon. I can say that for both of them. The 2d, I never saw. If he stuck him with a bayonet he could have done it with his hand.

Q. It's my understanding it was on the rifle. The pilot rants and raves with the company commander and the company commander says, "I'll check into it." He calls on the platoon leader, "Why did you guys knock this guy off?" The answer came back, "He was a Viet Cong." The company commander said, "Why did you do it?" The platoon leader says, "Wait a minute." He apparently held the transmission key down on the radio and he said, whatever the man's name was, nobody remembers the name Pete or whatever, "Why did you shoot that guy?" and over the radio comes "ah-ah-ah-ah" and the platoon leader says, "He had a grenade in his pocket?" Then came this other voice, "Yeah, he had a grenade in his pocket." So the platoon leader calls back the company commander and says the Viet Cong had a grenade in his pocket, he was armed. That chopper pilot was so mad he turned around and flew off.

A. That doesn't sound like Captain RIGGS. Captain RIGGS was extremely courteous toward all Vietnamese civilians. I'll say that did not happen to me, and I don't recall anything on the radio about that. I'm sure I would, I'm positive I would.

Q. Well, you recall everything else, so that you would probably recall that if it occurred.

A. I can't even remember anything happening when we were walking toward the beach.

Q. Any other time?

A. The only other incidents happening after that night we got hit with grenades was when we picked those women up on the beach.

Q. No, I don't mean that, anytime that you were with Task Force Barker. Do you recall any incident at all that would make you question the honor of wearing that uniform?

A. No, sir.

Q. What was your reaction when the My Lai incident hit the news media?

A. Surprise, shock. I couldn't say whether it happened or not, but nothing during the time made me suspect it, just a lot of disbelief. I know I felt sure that when I was there, when I was watching it, when I was monitoring over the radio, the farthest thing from my mind was that. I couldn't believe it. I couldn't believe it had happened. While I was watching it, if it did happen and without me actually knowing it.

Q. Well, you were a good kilometer away.

A. Yes, sir, but it was all completely open, well, I mean to the village, sir. I couldn't see the men running around or anything, but I could see the village.

MAJOR ZYCHOWSKI: Did I understand you correctly to say that the squad radios in both companies were on the same frequency?

A. Yes, sir.

Q. You could hear their transmissions?

A. Yes, sir, the range varied sometimes. Every once and a while we would have trouble with the radios working, when they would get wide or something. We didn't have any trouble. Our company como sergeant had a good sound knowledge of electronics and he used to call them in and have them fixed, but the range varied. Sometimes you can't get anything 500 meters away. Sometimes it will go up to 3 clicks.

Q. And you don't recall anything unusual on this radio pertaining to C Company's operation there?

A. I knew they were in contact but as far as the massacre or anything like that, no, sir.

COL ARMSTRONG: Well, do you have anything at all in your mind that possibly would throw light on this incident, letters to your wife, perhaps covering the period, maps you might have brought back?

A. No, sir, I didn't bring any maps back. I wasn't married at the time. But I remember the map very well, very well.

Q. This area?

A. The map of this area, I know it very well.

Q. Well, what I want to do is thank you for coming in. I know you are on your way to a new assignment, but you can't help think about this a little bit, about what has gone on here today. If anything comes to your mind at all, please don't hesitate to call us because this can happen, it has been very, very detailed. You remember very closely these things that have happened, and it might just click on some other stuff. If it does, don't hesitate to call us. Major COOP will tell you how to call us.

A. Sir, you brought up the things I have seen against this uniform. I couldn't even remember when or how, but sometimes the troops, when they did get an actual VC, they did get rough with him, but that would be stopped by me, Sergeant WATANABE or Captain RIGGS. They would be stopped. I'll admit I had a lot of hatred myself because I lost about half my platoon in that area and a lot of other people. But as far as brutality or atrocity, I didn't witness anything. In fact, during the time I was there, I don't even remember hearing about anything. That's the thing that shocked me so much, when I saw this in the paper, I didn't believe that. I'm not saying that it didn't happen, because I can't. But I'm saying I couldn't believe it.

Q. Okay. Well, that was the next thing. Have you got any questions or do you want to make a statement? You have already said what I think you wanted to say. But I want to remind you again, you're not to talk about this to any one unless you happen to be recalled before an administrative judicial or legislative investigation of some kind. Then whatever you said here can be certainly repeated to them.

They are official. You could possibly be contacted by CID agents to rehash this or they may want to take statements from you. If they do, you certainly may do so. However, we don't want you talking to anybody else except in a very official capacity and particularly any other witnesses that might appear here. Do you have anything else you would like to add?

A. I think I have just about emptied everything.

MAJOR ZYCHOWSKI: You mentioned that you talked to Lieutenant CALLEY when you were together at the 198th?

A. Yes, sir.

Q. Did Lieutenant CALLEY mention this assault at all or what took place?

A. We talked about this operation, sir. He was the S5 and I was platoon leader and I didn't see him very often until I came in from the field. We talked about this operation because it was one of the biggest things that happened when we were in Task Force Barker. At the time when I was entering Task Force Barker, I didn't know Lieutenant CALLEY. We happened to of course mention, "What unit were you in before?" We mentioned the operation, but at no time did we talk about it. I remember the statistics came out on the operation of about 120 VC. He never mentioned or I never brought up anything about civilians but we did mention about the VC but nothing in detail or nothing specific. We talked about the area in general, how every time we went south of the river we got contact, every time. I would kid him once and a while about how C Company got off pretty easy on casualties down there, because they didn't go south of the river as many times as we did. We were the first company south of the river and took hell.

Q. You are just talking about generalities, nothing specific?

A. Yes, sir.

COL ARMSTRONG: Did you ever hear of a flight officer complaining about the unnecessary killing of women and children?



A. No, sir. Like I said, in the Task Force Barker or Americal Division, I never heard rumors or otherwise beside what we thought or were told.

Q. Did you ever hear where a pilot had actually dropped his chopper between Americal soldiers and a group of Vietnamese and told his gunner to train his guns on those American soldiers while he went on and rescued a boy?

A. No, sir, not until I read it in the newspaper.

MAJOR ZYCHOWSKI: I'm trying to pursue the point about the squad radios. Did you hear anything about body counts or the action or about, "What in the hell is going on in there?"

A. It was natural more or less, for the situation, as it appeared to me over the radio. I did monitor the whole thing until we departed. Of course we were contacted, maneuvering squads and platoons toward the end, something was mentioned about a body count, somebody said, "What do you have over there," or a body count, something similar to that. In fact, I don't believe that at any time over the radio was anything even mentioned about civilians.

COL ARMSTRONG: When did you get involved with your booby trap and casualties, about what time in the morning?

A. I would say about 0800-0830, sir, shortly after the first lift came in.

Q. What you are saying, you monitored the squad radios up until about 0800 or 0830?

A. And discontinued until about a half hour later, then we continued again. It took us about an hour or 45 minutes to probe our way out of that area.

Q. It took you about an half hour to evacuate your wounded?

A. It didn't take that long at all, sir. Well, like I said, as soon as it happened, during the time it happened, this medevac was trying to call C Company commander and couldn't get him. I was offering assistance to try to get somebody

on the radio or something else to help and then it happened. Like a fool, I went running down on the area where it happened. I didn't know what was going on and my RTO came with me and immediately, just a matter of a couple of minutes, we got him in that medevac to pick those two men up. Within a matter of a minute or 2 minutes later, my RTO hit one. The explosions, the medevac, I could say happened either 5 or 10 minutes, at a maximum.

Q. What you are saying, you weren't paying attention to anybody with those squad radios for a period of 30 to 40 minutes?

A. I would say that is a minimum time.

Q. What about maximum?

A. About an hour to an hour and a quarter.

Q. So you are saying from approximately 0800 to 0930.

A. Yes, sir.

Q. In this area. You weren't monitoring, really monitoring? You were sort of in an automatic way?

A. Yes, sir.

Q. Were you paying real close attention?

A. I was, prior to my men hitting the booby traps, very close attention. Of course not at all while we were moving out of the area and repositioning and very slightly after that, because everybody was really shook. We moved out, we had to move a very short distance and we were so concerned whether there were still booby traps around.

MAJOR ZYCHOWSKI: Did you hear any transmissions about, "Stop the shooting," or, "Stop the killing," or anything like that?

A. No, sir, not at any time. I'm sure I would remember that also. Not in that period of time, I couldn't say.

COL ARMSTRONG: Well, I want to thank you very much. We appreciate your coming in and as I said, if anything comes back to you, don't you hesitate to call us, get in touch with us.

(The hearing adjourned at 1309 hours, 14 February 1970.)

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SUMMARY OF TESTIMONY

WITNESS: WILLIAMS, Bobby G. SSG

DATE OF TESTIMONY: 13 February 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: Squad Leader, Third Platoon, A/3/1.

1. BACKGROUND INFORMATION.

The witness joined A/3/1 in late September 1967, in Hawaii and moved to Duc Pho with them (pg. 3). In early February they became part of Task Force Barker and operated out of LZ Dottie and LZ Uptight until the task force was disbanded (pg. 3).

2. COMBAT ASSAULT, 16-19 MARCH 1968.

After being briefed, the witness stated that he remembered the operation as it was described but could not remember many other details (pg. 7). He did recall that Sergeant GRENHAM was killed (pg. 7), and that Francis X. CRUZ, Andy DOUGLAS, and LESURE were wounded (pg. 18). He stated that on 18 March 1968, either the second or the third platoon led the company (pgs. 9, 10), and he could not recall the position of his squad (pg. 10). He recalled H-23's and gunships flying cover as they crossed the bridge (pg. 12). On 19 March 1968, he could not recall any helicopters being present (pgs. 13, 14).

3. HELICOPTER ENCOUNTER.

The witness stated that after his return to the base camp, he heard of an encounter which occurred on 18 March

(WILLIAMS)

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between a helicopter pilot and a company commander (pg.14), but he could not remember the details (pg. 15). He recalled that a "Primo Bird" cornered a suspect in a rice paddy and a platoon went out to capture him (pgs. 15, 16). He could not recall what happened to the man (pg. 16). He remembered EKENBERRY bringing back a carbine from an incident but did not know if it was the same one (pg.17).

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EXHIBITS

EXHIBIT NUMBER	DESCRIPTION	NOTES	PAGES
MAP-1	Wall map	Used to orient the witness.	13

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(The hearing reconvened at 1346 hours, 13 February 1970.)

COL ARMSTRONG: The hearing will come to order.

RCDR: The following persons are present: COL ARMSTRONG, MAJ APICI, and MAJ COOP.

The next witness is Staff Sergeant Bobby G. WILLIAMS.

(SSG WILLIAMS was called as a witness, was sworn, and testified as follows:)

Will you state your full name, grade, Social Security number, branch of service, organization, and station?

A. Yes, sir. My name is Staff Sergeant Bobby G. WILLIAMS, Social Security number , organization, A Troop, 9th Cav, Fort Riley, Kansas.

RCDR: United States Army?

A. United States Army, sir.

COL ARMSTRONG: Excuse me, Sergeant WILLIAMS, but when you were sworn in, I heard you say, "Yes, sir." I didn't hear you say, "I do." Do you say, "I do"?

A. I do, sir.

Q. All right. I presumed that that's what he meant.

A. Yes, sir.

Q. Do you remember the instructions you just read out there (Exhibit M-57)?

A. Yes, sir. I do.

Q. You understand them?

A. Yes, sir.

Q. You have any questions about them?

A. No questions, sir.

Q. Sergeant WILLIAMS, I'm Colonel ARMSTRONG, and I was appointed by the Chief of Staff--Major APICI and myself were appointed by the Office of the Chief of Staff to assist General PEERS in this investigation of the matters pertaining to the Pinkville incident. There are other groups interrogating witnesses, and there are civilian lawyers who are assisting the Secretary of the Army and General PEERS in this investigation. However, General PEERS alone is responsible for receiving all the testimony that is taken, the facts as they are brought out in this testimony, and coming to conclusions and recommendations. He alone is responsible.

A. Yes, sir.

Q. I would like to emphasize to you that you are not to discuss anything that goes on in this room with anyone outside this room except an official judicial, administrative, or legislative investigating body.

A. Yes, sir. I understand.

Q. Specifically, you are not to discuss it with other witnesses that may appear before this inquiry. That is to protect you, protect them, to make certain to the best of our knowledge and your knowledge that the testimony you give is accurate.

A. Right, sir.

Q. Okay. The way I conduct this questioning is very soon I will describe or orient you, brief you, as to the operations of Task Force Barker on the dates of 15 through 26 March 1968. I believe you were a part of it?

A. Yes, sir.

Q. Then you have been oriented and, to a degree, your mind refreshed. This technique is used because we understand first that you gentlemen coming before these sessions do not have a clear memory of what happened 2 years ago. This is very understandable, and we understand it. What we try to do is recall to your memory the events of those days to the best of your recollection. We do this by feeding a little bit of

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information here and a little bit of information there, hoping that it will spark your memory so that you will then come up with some information.

A. All right, sir.

Q. I point out that General PEERS and several of his people have visited Vietnam. They talked to Vietnamese officers, soldiers, interpreters. They've gone to the area in question, they've seen it. They've been to the headquarters, they've looked over records. We've talked to over 250 men witnesses. Piles of records. We know what happened. But to corroborate it and to fill in the details, there will certainly be no stone unturned to find out everything we can about this event. That's why you're now here. Not that we think that you've done anything, or necessarily that your comrades have done anything at all, but you were in one of the companies involved in the operation, and we're trying to find out the details of what your company was to do. We're two soldiers trying to exchange information back and forth. So you're going to find that these hearings are going to be a little bit informal, because we want you to have your mind completely at ease so that you can remember to the best of your ability. All right, I have two questions that I'd like to ask you now. One is, can you describe the service that you had with the 11th Brigade, the 20th Infantry, in the Americal Division, and the date of the jobs that you held, the units that you were in, and the dates of this service?

A. Yes, sir. I believe I can recall. 1967, November or late in September, I reported into Schofield Barracks, Hawaii. Then later we trained and moved off to Vietnam. This was with A Troop--I mean A Company 3/1. We moved over to Duc Pho, Vietnam, where we stayed approximately 2 weeks, made a fire base there, and moved out to LZ Red, if I recall it correctly. We stayed down there and operated in the Son My Valley area and the area off towards the peninsula, which was down by Duc Pho, also. Shortly after, we moved from there to Dragon, if I'm recalling correctly, and there we went more or less west, operating in that area. Then they formed the task force, which was around about, I can recall it exactly, about the first part of February. There we had the Task Force Barker going, we were operating out of Dottie and LZ Uptight. Approximately July or June it was, I don't know exactly the month or date, we came back to the unit, the 11th Brigade. The task

force itself was dissolved then. During that time, sir, we got back in our area, and we had a big infusion that came down. I was later infused to the 198th in July. Then that's where I operated north. They formed more or less, well, the 198th had the responsibility to occupy LZ Dottie again, back down in here again, sir, and basically it was about the same as when Task Force Barker was going on. Later on we just left that area all together, and they brought in another unit of the 198th. We operated more or less north, around the south of the Tam Ky area and more or less out of Chu Lai. Just more or less covering our area of reconnaissance responsibility, sir, and the defense of Chu Lai base itself. On 3 December I returned to the States.

Q. All right. Thank you. Let's think back to this past September or October when word of the My Lai incident or the Pinkville incident hit the news media. Do you recall this?

A. Yes, sir, I do. But not all the details.

Q. Since that time, since this past September or October, have you bumped into any of your old acquaintances of the 11th Brigade or the Americal Division and discussed this incident?

A. No, sir. I never did discuss the incident. I have--there were possibly two guys--well, two guys, men rather, that were in that unit with me who are at Riley now, we just happened to meet each other, and we have never discussed the incident.

Q. Were they in A Company?

A. Yes, sir. They were.

Q. Who are they?

A. Sergeant WILEY and Staff Sergeant KEIO (Phonetic), which now is at the Honor Guard here at--

Q. (Interposing) And they're both at Riley?

A. No, sir, Sergeant KEIO left, came back to the Honor Guard.

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Q. He's in the 3d Infantry here at Myer?

A. Right, sir.

Q. That's Sergeant WILEY?

A. Yes, sir. WILEY. He's at the 547th Supply, I believe it is.

Q. All right.

A. Fort Riley, Kansas.

Q. But you didn't discuss anything substantive about what may have occurred during that period?

A. I never did.

Q. Tell me what your reaction was when this stuff hit the news. Were you surprised, or did you think, well, they finally caught up with them, or what?

A. No, sir, I wasn't really--I was shocked, sir, of course. For the fact of--not that I know too much about Charlie Company or anything, I was surprised at the fact that anything like that could be hid so well. It was a massacre, so that's the fact that I was surprised at. But other than that, sir, I didn't really--it really didn't, you know, affect me too much, because, as I say, I was surprised about the whole deal really, because it was something else in my opinion, you know.

Q. You never saw any of this?

A. No, sir.

Q. Did you ever hear about anything like this going on?

A. No, sir, not while I was in the task force.

Q. Your company, the battalion or the 198th or any of this in any unit?

A. No, sir. Not as far as any massacre is concerned.

Q. No, I don't mean the massacre, but I mean abusing prisoners or kicking villagers around or rape and--

A. (Interposing) Well, not the 11th Brigade.

Q. Murdering and--

A. (Interposing) No, sir.

Q. And other things?

A. Not to my knowledge, sir. I can't exactly recall that, if that really happened, not in A Company. I know for a fact, not while I was there. But as far as the 198th, they had charges on them one time just prior to me getting there, and they conducted a congressional investigation on them. As far as rape charges go, as I says, sir, it's--

Q. (Interposing) But that was a rape case?

A. Yes, sir.

Q. But I mean you never heard of any case that wasn't really investigated and looked into and brought out? You never heard about one where it had been swept under the rug, and nobody ever talked about it?

A. No, sir. Not really.

Q. The officer wouldn't hear you, and the men talked about it out of the sides of their mouths to each other?

A. No, sir. Not really. Maybe I was just one of the ones that didn't hear about it. I didn't discuss it, and I didn't see anything that happened there.

Q. Well, I'm sure that all of us would like to think that this thing never happened.

A. True, sir.

Q. But it is up to us to investigate them when they do, like we're supposed to do.

A. Yes, sir.

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(COL ARMSTRONG briefed the witness on the operation of Task Force Barker.)

Q. Sergeant WILLIAMS, I have briefed you as to the operation of Task Force Barker during the period of about 12 March to about 30 March 1968. Would you be so kind as to explain what you remember about the operation of your company and what you know about this operation?

A. Yes, sir. The main fact that you brought out, it is very clear to me, the part that we played in that operation. And the fact of, you know, the personnel and what have you that were killed, and it brings it back clear to me, because I can remember most of this. If you had--if a guy had just told me, well, explain the operation, before briefing me, it may bring everything back to me like you said. I do recall all--everything you said, it fits in place, and other that no more than what you really told is what I can remember. But anything else, and other details, I can't exactly remember.

Q. Well, maybe I can help you. You remember the names of the men that were killed?

A. I know one was a buck sergeant, E-5. One that had a grenade tossed on him, I believe it was, if I recall correctly, I can't recall his name, sir.

Q. GRENHAM?

A. Right, sir.

Q. He was what, the buck sergeant?

A. Yes, sir, he was.

Q. SEVIER?

A. Right, sir.

Q. He was the other one?

A. He was the other one, right, sir.

Q. Do you remember "X"?

A. Yes, sir, I do.

Q. What happened to him?

A. I believe he got shrapnel, if I can remember correctly, I'm not sure.

Q. Wounded?

A. Yes, sir. I believe it was him.

Q. And really his name is Francis X. CRUZ, right?

A. CRUZ?

Q. Hands and legs?

A. Yes, sir.

Q. You remember DOUGLAS?

A. Yes, sir.

Q. Andy DOUGLAS?

A. He was wounded, too.

Q. Yes. LESURE? You remember him, LESURE?

A. Yes, sir.

Q. What happened to him, you know?

A. LESURE, I remember the person, but I don't remember how he got hit or what.

Q. He wasn't evacuated.

A. No, he wasn't, sir.

Q. MCGUIRE?

A. His name is not fresh in my mind.

Q. All right. STILES? Jimmy STILES?

A. STILES, STILES, I don't recall him.

Q. All right.

A. Did you say Douglas COOKE earlier, or was it DOUGLAS?

Q. Andy DOUGLAS.

A. Andy DOUGLAS, I know him, we had a Douglas COOKE that got killed in an operation along the river. He was killed there by an 81 mortar round, which his assistant gunner stepped on, and it blew up. He took it in the back 4 or 5 inches. Some of these points you brought out, sir, which made me--re-freshed it to me. Maybe you can bring out more, and it will be refreshing to me.

Q. The next--

A. (Interposing) What you brought out was--

Q. (Interposing) The next morning you moved out--you moved back across the river, remember, this is the morning of the 18th, this is after the sapper attack?

A. Right, sir.

Q. You moved back across the river. EIKENBERRY says you moved about 0600 to 0700 in the morning?

A. Right, sir, it was, because--

Q. (Interposing) You left him back with another guy who had only stayed with him to blow three grenades that were still lying around.

A. Right.

Q. Let me ask you this, think real hard about this, what platoon led out when the company led out that morning?

A. If I recall correctly, I believe it was the 3d Platoon.

Q. Your platoon?

A. Right, sir.

Q. Okay, you were a squad leader, right?

A. Yes, sir.

Q. What position in the platoon did your squad have?

A. I can't recall, sir, whether it was lead or drag or in between.

Q. Okay.

A. I think it was either lead or drag, sir.

Q. You don't think the 2d Platoon perhaps led off?

A. Well, that's possible, sir.

Q. After taking those casualties that night before?

A. I wouldn't think they would, because of personnel.

Q. Okay. You remember it wasn't a big hike--a long hike that day?

A. No, sir. It wasn't.

Q. You got up on top of the hill, where you had to pull yourself up a hill. You remember leading now, as the platoon being the leading platoon?

A. Not too clearly, sir.

Q. Did it take you in to that--lead you up on that hill? Now, think the next morning, when you came down off that hill, you went to the northwest over pretty good trails, you then crossed a rice-paddy-type area. Do you have any idea which platoon led out that next morning?

A. Not really, sir.

Q. You think it was the 3d Platoon?



A. No, sir. I wouldn't really say, but like you said, we led off. I believe we did lead off the morning after the sapper incident, but I would be more certain there than I would any other day. For some reason I don't know why.

Q. Okay. Who was your platoon leader at this time?

A. Lieutenant WHITE, I believe.

Q. WHITE?

A. Lieutenant WHITE, I'm almost positive of that. He was a first lieutenant.

Q. First lieutenant?

A. First lieutenant, yes, sir.

Q. Do you remember very often having a chopper flying cover for you when you're out in the wide open spaces like that?

A. Yes, sir. They were called Primo birds.

Q. They were called what?

A. Primo birds.

Q. Primo, what type were these?

A. Both types, 23's, I believe they are.

Q. H-23's?

A. Right, sir.

Q. Sort of a glass bubble on the front?

A. Yes, sir.

Q. Two gunners in them and the pilot?

A. Right, sir.

Q. One guy flies low, and the other one flies high?

A. Yes, that's to cover him.

Q. That's right. Now, do you remember when you moved out across the bridge, your having those choppers flying cover for you?

A. Yes, sir, I think I do.

Q. They were flying cover?

A. Right, sir.

Q. Do you remember which time of the day it--how long it took you to get to the hill?

A. Not really, sir.

Q. Well, it couldn't have been too long a hike?

A. Let's see, it wasn't--

Q. (Interposing) I think you ate the noon meal up there?

A. I believe we did, I can't really say, sir.

Q. How did you get your chow in a situation like that? Did they fly it into you, hot chow, or did you carry it on your back?

A. More or less they would fly in C's to us and drop them. Depends on how the situation is in the area, really. If we are on the go we don't normally get hot chow, sir.

Q. Well, but here it looks like you only had a, what a 2-mile march?

A. We probably did, really.

Q. You had about an hour's march over to that place, you left about 0700 or 0800 in the morning maybe?

A. Do you recall whether we laagered there all night long?

Q. Yes, you stayed there all night.

A. We did?

Q. Now, I don't know the route you took to get there, you may have taken quite a roundabout way to get there, but I know according to the log your company was in a night defensive position on this hill the night of the 18th of March, right there.

(Witness is oriented to Exhibit MAP-1.)

So you don't really remember whether you got there by noon or whether you wandered around the rice paddies until in the afternoon and then got in?

A. Well, I do recall now, when had--when we set up our night defensive position we never go in the daylight. Very seldom. It was one of Captain RIGGS' beliefs, which was the fact that if Charlie sees you going in there, he may figure you're laagered, and stay there a long time, he knows when you move really. But we usually use the night system of taking a laager, a permanent night laager, anyway. Where we just lay out maybe 50, maybe 200, maybe 300 meters away from an area during the day. Sometimes maybe 2 or 3 clicks. When night breaks we just move out to that laagered area.

Q. Okay. So then, the next morning, try and remember this now, the morning of the 19th was quite a--quite a reasonable-sized march this day. You're going to go northeast, you're going to go about a couple of clicks past Uptight?

A. Right, sir.

Q. We're talking about a 7- to 8-mile march maybe? Do you remember who was leading off?

A. Not really, sir.

Q. Do you remember choppers overhead?

A. No, sir.

Q. The Primos weren't there that day?

A. I don't think they were. But I say again, if I say, I will be answering that question without any remembrance, so I can not really say.

Q. But you think that you had choppers the day before?

A. I do think that we had.

Q. Let me ask you, if a chopper pilot called up the company commander on the company's net and chewed--that warrant officer chewed out that captain, would the people in the company remember this?

A. I do remember hearing something about that, sir. Or was it that way or the other way around?

Q. Whether the captain chewed out the warrant officer?

A. Yes, sir. I can't recall which way it was, but I did hear something about that affair.

Q. Do you remember any of the details of that chewing out? Why it happened?

A. No, sir.

Q. What it was about?

A. Not really, sir.

Q. Were you anywhere near the platoon leader and his radio? So that you might have overheard this?

A. No, sir. I wasn't.

Q. Where do you think you might have heard about this?

A. Probably after we had got back to the base camp, sir, probably.

Q. Did the story go something like this? That warrant officer was chewing out the company commander because--

A. (Interposing) Seems he yelled at somebody.

Q. Shot a Viet Cong?

A. No, sir. Not exactly, I don't know really.

Q. What do you think you remember?

A. I can't remember from when we pulled back into Dottie, sir, I know it was Uptight. But from who I heard it or the exact details I can't recall.

Q. Okay. Something about this pilot sticking his neck and his crew's neck out for about 20 minutes? Does that ring a bell?

A. No, sir. Not really.

Q. Okay. Try to picture the column moving along and way up front a couple of choppers, one of them low and left. It might not be to the left depending upon how the trail went, might be the right or the left depending upon where you are in the column but anyways, off to the side of the route of march of the company, it starts circling right down low to the ground.

A. Sir, do you recall if this was near a village, was it very near a village and,--no, it's not helping me any.

Q. I believe it was. I believe it was just outside a village.

A. Yes, sir.

Q. He calls down to the company and he says I've got a guy cornered out here come on out and pick him up.

A. Let me think a minute?

Q. Okay tell me more about it.

A. Well, he was--I believe he was kind of hidden, more or less from us, that he had, you know, he's out in the open like I said in the rice paddy, the Primo Bird did have him cornered and we was coming up, it wasn't my platoon, I'm quite sure of this.

Q. Okay.

A. I can't recall which platoon it was though really. We went up to pick the man up.

Q. And did they pick him up?

A. Yes, sir.

Q. They brought him in?

A. I don't know I can't really recall that either, sir.

Q. Or did they stick him with a bayonet and then shoot him right there in the rice paddy and leave him there? And that's what made the chopper pilot so mad.

A. I recalled that, you know, the--about the man being pinned down and what have you. The reason why I asked you, sir, the reason I asked you about the village it brought my memory back about the choppers and all and the Primo birds flying support for us. But in fact what happened to him, sir, I can't really recall that either.

Q. You don't remember seeing him brought in with maybe a carbine?

A. Was he carrying a carbine, sir? That's what you're saying?

Q. No, do you know? You remember the time that EIKENBERRY brought one back with a carbine? That a Primo bird had cornered?

A. Yes, I believe he did.

Q. This was not the same one the chopper--this is not the same one you're talking about though is it?

A. No sir, not the same one that was pinned down.

Q. Do you remember--okay, go ahead.

A. I don't know whether that was the one that he picked up or not, I don't know, really sir, I believe there was a couple of them that day. Really I'm not too sure of the fact that that was the one that he brought back, sir, or whether someone had him, you know, like I told you earlier, sir, I said I don't think it was my platoon that went and picked up.

Q. EKINBERRY went and picked up one where the Primo bird had captured him or had cornered him. That guy had a carbine and they brought the man back and you carried him with you for days maybe until you could get him evacuated?

A. Yes, sir.

Q. This is another case I'm talking about.

A. Different time, you say?

Q. Huh?

A. The same time, sir?

Q. Well actually the one EKINBERRY picked up was not during this operation.

A. Oh, I see.

Q. Yes. Two years is a long time.

A. It is, sir, especially with the mess I went through after that. The worst part of it is going back in that area again. None of those things I can't really recall. If you hadn't mentioned anything, like I say earlier to stimulate me about BARKER's task force, the most part that I could have told you like I did was the LZs we were at, sir, and maybe the date--some of the dates that--of incidents that we had, I mean like big attacks that we had on us--I mean big attacks that we had which was very few and far between really, because every time we was always on the defense and they were on the offense most of the time. And when we went to areas like this the area fire was more or less preped--preped with our mortars and what have you. Their expert way of drawing you into a booby trapped area, I recall that, in that area.

Q. You're marching along and outside this village this is what happened; a chopper was hovering for a considerable period of time, he actually saw three guys out there. Two of them jumped into a spiderhole to the tunnel, this other guy he cornered right in the corner of a rice paddy, right along the dike. You can remember up to that, but you don't know who went out to get him?

A. No, sir, not exactly. Well, I--it couldn't--seems like I said earlier, sir, about the platoon--

Q. (Interposing) Well that's what I mean, you don't remember what platoon it was?

A. No sir. And I a--earlier I said I was almost certain it wasn't mine and now I really can't be sure of that either, sir.

Q. All right. But you remember people sort of mentioning this later when you got back up to Uptight?

A. I heard about the incident but--that the warrant officer either way it was, I couldn't recall earlier about being chewed out, that was it, sir. The fact of, you know, maybe this Cong getting bayoneted or something, I can't even recall that, sir.

Q. Well the conversation went something like this: "It will be a cold day in hell before I ever corner another prisoner for you guys. I'm up here for 20 minutes exposing me, my aircraft and my crew to capture a prisoner and when you guys get out here to pick him up you murder him. What happened?" The company commander says, "I don't know, I'll find out." He calls his platoon that was leading, platoon leader and says, "What happened?" The platoon leader says, "I don't know, they found a Cong and they shot him. I'll find out." He turns to the rifleman, they can hear this over the radio.

A. Yes, sir.

Q. He turned to the rifleman, he said, "What happened out there," and they can hear this guy in the background saying, "Ah, ah, ah, ah, ah, ah," and they hear the platoon leader saying, "You mean you found a grenade in his pocket?" The guy says, "Yeah, I found a grenade in his pocket." The platoon



leaders says--reports to the company commander, "He was a Cong, they found a grenade in his pocket." The choppers turned around and flew off. So mad he couldn't see straight. Can you understand why he would be a little bit angry?

A. Yes sir, a little.

COL ARMSTRONG: Thanks a lot for coming in. There are a couple of things that I would like to remind you of. The first one is, with all of this information that you have now, you may be going back home and something may click, it happens, it's happened on many of our previous witnesses. Two years we know is a long time--

A. (Interposing) True, sir.

Q. But it might come back and if it does call us.

A. Yes, sir.

Q. Get to a phone and call us. If you're back at your post get on AUTOVON so you can call right in here without any problem. Should you have any documents, maps, pictures of this area that might be helpful to us well please send them to us, we'll reproduce them and send them right back to you. Concentrate on, think about this, and maybe something could click.

A. True, sir.

Q. Now these possibilities which come to mind might have been another thing, we know this can happen so don't-- don't convince yourself that it happened. Be pretty certain whether it happened or not.

A. Yes, sir. I will.

Q. You are reminded that you are not to discuss this with anyone.

A. True, sir.

Q. Unless it is in an official investigation by either judicial, legislative or administrative investigations.

A. Yes, sir.

Q. Then you can discuss anything that you discussed here.

A. Yes, sir.

Q. Well I guess that's about it. Thank you very much. You have any questions or any statement you'd like to make?

A. No, sir.

COL ARMSTRONG: We'll recess now.

(The hearing recessed at 1442 hours, 13 February 1970.)

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SUMMARY OF TESTIMONY

WITNESS: ZAMORA, Florentino SSG

DATE OF TESTIMONY: 13 February 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: Third Platoon, A/3/1  
until May 1968; 26th Engineer Battalion, June-December 1968.

1. THE COMBAT ASSAULT.

a. Actions on the 16th.

The company spent the night of the 16th in a little village in front of a river (pg. 10).

b. Actions on the 17th.

On the 17th they moved across the river (pg.11). Later that night they were hit by a sapper attack and GRENHAM and SEVIER were killed (pg. 8). They were from the second platoon (pg. 9). Five others were wounded (pg. 9).

c. Actions on the 18th.

They turned around on the 18th and went north back across the river (pgs. 9, 11). They moved to a hill (pg. 11). They received some sniper fire from a village (pg. 12).

(ZAMORA)

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d. Actions on the 19th.

ZAMORA was unable to recall what transpired on the 19th (pg. 13). He did not recall helicopters flying protection for them or a gunship cornering a VC who was taken prisoner (pg. 13). He knew nothing about the prisoner being killed by the troops who claimed the prisoner had a grenade in his pocket (pgs. 14, 15). He did not remember the helicopter pilot chewing out the company commander about this (pg. 14). However, the witness stated that there were people in his platoon who could have done something like this. However, to his knowledge the men of his platoon never did anything like this (pgs. 15, 16).

2. OTHER INFORMATION.

a. ZAMORA discussed the My Lai incident with Drill Sergeant David E. LARIMORE of Fort Polk, Louisiana who was a member of B/4/3 on 16 March 1968 (pg. 4).

b. While he was in Vietnam the witness did not see people lined up and shot or anything similar to this (pg. 5). He knew of no rapes while he was in Vietnam (pg. 6).

c. ZAMORA had a friend from C Company, named Joe GRIMES, who never mentioned anything about unnecessary killing or rapes by C Company (pg. 7). The witness had not seen GRIMES since leaving Vietnam (pg. 21).

d. When Captain RIGGS ran the company they changed position every night (pg. 10).

e. There was very little shooting by A Company on search missions (pg. 17). However, grenades would be thrown into bunkers if they were uncertain about its safety (pg. 17). Normally, villagers were gathered together in one location on a search mission (pg. 17).

f. The witness did not hear any rumors about the 11th Brigade while with the 26th Engineers (pg. 22).

(ZAMORA)

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(The hearing reconvened at 0848 hours, 13 February 1970.)

COL ARMSTRONG: The hearing will come to order.

RCDR: The following persons are present: COL ARMSTRONG and MAJ COOP.

The next witness is Staff Sergeant Florentino ZAMORA, JR.

(SSG ZAMORA, was called as a witness, was sworn, and testified as follows:)

Please state your full name, grade, Social Security number, branch of service, organization and station?

A. Florentino ZAMORA, Jr., Staff Sergeant E-6, United States Army, Quartermaster Corps, Company C, Special Troops, Fort Polk, Louisiana 71459.

COL ARMSTRONG: Sergeant ZAMORA, have you read the instructions?

A. Yes, sir, I have.

Q. Do you understand it?

A. Yes, sir, I do.

Q. Do you have any questions about it?

A. No, sir, I don't.

Q. I'm Colonel ARMSTRONG and I have been appointed by The Office of the Chief of Staff to assist General PEERS in this investigation. You should know that there are other groups taking testimony from different soldiers. There have been over 350 witnesses appear before the investigation board. There are civilian attorneys who have volunteered to assist the Secretary of the Army in this investigation; they are taking part in this. However, with all of that, the responsibility for putting the report together, digesting all of the testimony, coming up with conclusions and recommendations rests with General PEERS only. I'm going to conduct this investigation or this questioning of

you with the viewpoint of trying to bring out from you events that took place almost 2 years ago. I want you to know that we understand and appreciate that you're not going to be able to recall all this like it was your wife's birthday yesterday, or something of this nature. We understand, so I'm going to sketch out operations as they occurred during the time period that we want to talk about with you, to try to refresh your memory as to the events that occurred, to bring back as much as we can. I will be leading you in questioning because of this problem we have of trying to refresh your memory. I want you to know that we have a tremendous amount of information, and we're merely trying to fill in the gaps that we have, even though we pretty well know what probably took place. I appreciate also that your company was not directly involved in the events that took place at the so-called My Lai incident in March 1968. However, other things have come up that make us call in individuals from A/3/1. I talked to your former first sergeant, also Sergeant BERGE, Sergeant RAVENCRAFT, and Sergeant WATANABE. I've talked to them and you are the next one. I have other men to talk to that are on the list. One of the things I'm going to ask you to do is to look over the roster of the company and try to tell me what you remember of the assignment of individuals. Now, I appreciate that basically we're talking about the ones who were going to be in your platoon. Probably the ones that you know as well as could be expected. Maybe you know others in the company. Anything or information you can give may be helpful to us. I want you to understand that this is going to be reasonably informal, so if you want to open up your blouse, sip your coffee, don't hesitate. We're trying to work together to get some information for the record, as two soldiers working together to get the job done. Okay?

A. Yes, sir.

COL ARMSTRONG: The hearing will recess.

(The hearing recessed at 0853 hours, 13 February 1970.)

(The hearing reconvened at 0943 hours, 13 February 1970).

COL ARMSTRONG: The hearing will come to order.

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RCDR: The following persons are present: COL ARMSTRONG, MAJ COOP, and MAJ APICI.

(Major APICI was sworn as a member of the Peers Inquiry).

(The witness is oriented to the area utilizing Exhibit MAP-5.)

COL ARMSTRONG: Sergeant ZAMORA, would you please tell us what position you held in the company, when you were in the 3/1, what company you were in, and the date you were in it?

A. Well, I went to A Company from Headquarters Company. I went to A Company on the trip, when we was in the boat. They switched me over to A Company effective 11 December.

Q. That's close enough.

A. And I went up there and I reported to 3d Platoon and I became a squad leader in the 3d Platoon for awhile. Then they had a squad leader to come in and then I went to team leader. I stayed there in A Company until around the last of May, a period of May when I was transferred up to the 26th Engineer Battalion up at Chu Lai.

Q. How long were you in that company, with the engineer company up at Chu Lai?

A. Well, I was there from June up until I came back, which is December 1968. I was first in Delta Company from June until July and then in July I went up to Headquarters Company and started working in the S4 section, because of my MOS which is supply.

Q. I'll get back to that later. Would you please tell us if since the Pinkville or the My Lai incident became public knowledge in September or October of 1969, have you discussed this with any members of the Americal Division?

A. I have, sir. I was in a training company there at Polk, B/5/1. I stayed there from March until July. There's a man there, a drill sergeant, David E. LARIMORE, who was with B/4/3. We've juggled it around and we've joked about it and he

keeps telling me we weren't there and I keep agreeing with him, we weren't there. In fact, I seen him yesterday morning going towards the bank and I told him, "Your next." We've discussed it quite a bit and we disagree really. I mean, you know, he keeps telling, "No, it ain't true. We weren't there." I don't really remember exactly what all took place specifically, doesn't mean that I agree with him. He said we weren't, we weren't.

Q. What company was LARIMORE in?

A. B/4/3.

Q. When was he in that company?

A. Well, I believe he was there the entire time because he was in that company in Hawaii. He went over with us and he came back. We probably came back the same time, but I got back 1 December and I didn't report to Polk until 7 January. Of course, I went to committee group there for a while and then I stayed in the committee group until March. Then they shipped me over to B Company, 5th Battalion, 1st Brigade, BCT Brigade, and he was there. He was attending an academy, drill sergeant academy. Then when we got to talking and everything else, he was in Task Force Barker with me. I never saw him over there at all during Hawaii or never see him or anything. But he did tell me that he was there in the task force. 'Course like, you know, in LZ Dottie- I tell you there was only one occasion when there was two entire companies in there at one time. Usually, one company was out and one was in and then they switched back and forth. That's why I never had a chance to see him or anything; I never knew him. We've talked about it--

Q. (Interposing) And he said that he wasn't there or that his company wasn't there or that your company wasn't there?

A. Well, he didn't specify, you know. I guess he meant the company itself. He didn't come out and say, "Well, my company wasn't there." He just said you weren't there and I wasn't there, so I can't say for sure what he meant. If the companies or just individuals themselves. Cause I don't--

Q. (Interposing) Did you think he was warning you about admitting you were there?

A. Well, really, I don't think so, because when it all



broke out and started seeing it in the TV, mostly in the TV, I don't read too much newspaper, but mostly the TV and I keep close tabs every day on the news, and I can't say. I don't think he was trying to warn me, really, because you know, he wants to say something, and I want to say something else. We both can't say the same thing.

Q. It was more or less a guilty--

A. (Interposing) Well, more or less. As far as I don't know if he was any of this and I know for a fact that I didn't, as to they say that they lined up the people and they just gunned them down. I didn't because I wasn't in the village itself at that time.

Q. Now, let me ask you this. Have you ever seen anything like that go on? Lining up people and shooting them down?

A. No, sir, I sure haven't. Never have.

Q. When this word was announced and came out on TV what was your reaction?

A. To tell you the truth, I didn't believe it, really. I mean, as far as saying, well, that they lined up the people and started gunning them down like nothing, I didn't believe it.

Q. Why didn't you believe it?

A. Maybe because it is that I feel that we're there to do a job and we have to do it.

Q. No, no, I don't mean that. I mean was it such a surprise to you? Why didn't you believe that this happened?

A. Well, mainly because I didn't see it, really.

Q. Did you ever see anything like that at all?

A. I haven't, sir, never.

Q. Did you ever hear anybody talk about anything like that; that sort of thing going on?

A. No. No, sir.

Q. Did you ever know of any rapes that went on?

A. Well, here--

Q. (Interposing) No, no, I mean--

A. (Interposing) Over there?

Q. Yes.

A. No.

Q. Your unit or other units in the division?

A. Not in my unit, sir. Nothing like that, nothing like that ever happened. Whenever, you know, we didn't go in there and started getting a hold of the civilians and like raping women and killing people and children and everything. We didn't do that. We went in there and we searched the village like we were supposed to. We had a job to do and we did it. And after we were through, then we went someplace else or maybe camped there for the night. But if, you know, as far as, from time to time we got to talk to people from other, like from Charlie Company and from B Company, cause I had--I had a good friend-- I had a good friend in Charlie Company.

Q. Who was this?

A. Joe GRIMES. He was from Falfurrias, Texas.

Q. Can you spell that?

A. I have to write that. F-A-L-F-U-R-R-I-A-S.

Q. Okay.

A. All right. Well, I think he caught malaria at first. He was gone and then they had to talk to some of the people in his company cause he was a good friend of mine. One guy said, "Well, he had malaria." Then it came out that he didn't have malaria, that he got wounded. He never mentioned anything about their people and going in there and started killing people or raping women or none of that.

Q. Do you know whether he was on this 16 March operation?

A. He could very well be, because he was there at Dottie with us. That's where I'd seen him.

Q. When was he wounded? Do you know?

A. Oh, let me see, I don't know, maybe in March some-time, you know, right before they broke up. On 25 March I went up to Chu Lai to the hospital because I had gotten hurt on an operation. The doctor gave me a profile so they send me up to LZ Dottie for a while. Then I went on to Duc Pho and I stayed in Duc Pho until 25 April. I went back to the doctor and he suspended my profile. That is when I started working to get out of there, because, see, my MOS is supply and I had to fight for my CIB, because they wouldn't give a CIB because I was supply. I had to go to the IG and I had to go see the adjutant and I gave them a choice, either award me a CIB or get me out of the field. And they finally gave me a CIB. I finally got out of there and went to this engineer battalion. But, as I say, that I heard or that he talked, you know, that he talked about massacres or rapes or anything, he never did, not to me.

Q. So as far as you know--

A. (Interposing) As far as I know, that didn't happen. I mean, it's not so far as that I can say I know from fact that it didn't because I don't. I just say that I never heard their people from Charlie Company talk to mine.

Q. All right. Now, I have outlined to you the concept of the operation in Task Force Barker as of 16 March and I oriented you on MAP-5. Can you recall or can you tell me everything that you remember about the events of 16, 17, 18, 19 March as they occurred to you in 1968 when you were assigned to A/3/1?

A. Well, sir, I tell you, in the field you hardly don't keep track of what date this is. I always like to think about live for today. If you make it today, you wake up tomorrow, you're good, you got to live from day to day. There's only one point that I know that was here. For some reason along one of these coasts here, we stayed one night. But, I know that--I went to the doctor and we had just got to Uptight. That was on a Tuesday. We got to Uptight on a Tuesday morning and I went to the doctor Wednesday morning.

Q. And that was the--

A. (Interposing) That was in March.

Q. That was in March. That was 25 March you went to the doctor?

A. Yes, sir, and I got my profile.

Q. So, on 24 March, the 3d Platoon was at Uptight?

A. Yes, sir.

Q. Can you think back now a week before that. Can you trace what happened to you during that previous week. Now to give you something to orient on, remember the sapper attack where the 2d Platoon lost two men killed and five wounded across the Diem Diem River? Do you remember this?

A. Across the Diem Diem River?

Q. In the afternoon, I believe it was, you moved across this bridge to a blocking position. You'd gone into a night defense position in here and you were hit early in the morning hours of the 18th. First by what was reported as a mortar attack and then later you discovered that it was not mortars. It had actually been a sapper attack. Does this bring anything to your memory?

A. I think when the first kill was reported--well, let me see, the night that--the day that BRINKLER got hit--

Q. BRINKLER?

A. What is the captain's name? BRINKLER, WRINKLER.

Q. That's TRINKLE. But that's 3 weeks before this.

A. That must have been when GRENHAM got killed. One of the guys went into shock there. The only real attack that I can really remember was when we got hit and we lost some men, the 3d Platoon. We got hit by "Bouncing Betty." We got stuck in a graveyard. The choppers couldn't come in to give us re-supply at all. I think it was one kill and about five wounded. I know for a fact one of them was one of our men, from my platoon, Specialist WILEY.

Q. The two killed were GRENHAM and SEVIER. Are they both from the 2d Platoon?

A. I believe so, sir. I remember the day GRENHAM got killed.

Q. All right. That's the day I'm talking about. Now, also wounded were then were CRUZ, Francis CRUZ, Andy DOUGLAS, LESURE, MCGUIRE, James STILES. These men were all wounded, either killed or wounded at the same time, at the same attack. That's the attack I'm talking about. Now does this bring it back to you?

A. I don't remember that. I remember I was talking to GRENHAM. I had just started to make friends with him 'cause he was the type of guy that wouldn't talk. He was real quiet, he hardly talked to anybody. I was just trying to make friends with him. I believe that either that day or the following day he got killed. And one of the guys, one of his close friends went to a severe shock. I forget what the guy's name was. He went into severe shock 'cause that was his best friend.

Q. You don't know what his name was?

A. No, sir, I can't remember what his name was. They were supposedly good buddies and this guy just went completely out of his mind. He couldn't remember anything. He couldn't remember nothing. The only thing he could remember was that GRENHAM got killed and that was just enough for him.

Q. You talking about GRENHAM?

A. Yeah, that's what I'm talking about.

Q. But does this bring it back to your mind, that operation we're talking about? Because that afternoon or later on that morning, you turned around and went back up north across the river. You moved up out of the area.

A. Yeah, we crossed the river and then we went so far up and then we turned right around and crossed the river again in the same place.

Q. All right, the day before you crossed the river. Now,

here's what happened. On the 17th you were up in here and you crossed the river here and came down here. You were hit by the attack and later that morning you went back up this way.

A. Then we didn't go to LZ Uptight?

Q. No. In fact, I can show you exactly where you went. All right, you were right in here the night of the 16th. Right in here the night of the 17th. You were right in here on the night of the 18th. So what you are doing is coming back across here and going over there. And the next night, or the next day, that is, the day of the 19th, you moved across up here to right into this area. So on the 19th you moved across here, came in- to this area the next day. I understand you moved every night when Captain RIGGS was running the company?

A. Right, he never stayed the same place. Probably one of the reasons why he's alive today.

Q. You moved up into this area, maybe it was only a click, but he moved every night. Then you went up into this area. You moved back down and around in here. Then your platoon went into Uptight, and the rest of the company went to Dottie. And the next morning you went to the hospital to see the doc?

A. Yes.

Q. And your platoon went to Dottie, you went to the hospital, and the company went back down to Duc Pho. So that's the places that you went to from the 16th on. On the 16th you were here, the 17th you were here, you went on up into this area, and you came back up. Now does that--

A. (Interposing) We spent the night here, right?

Q. You spent the night of the 16th here--

A. (Interposing) The little village?

Q. Yes.

A. Right in front of this river.

Q. Then you went across the river on the night of the 17th and then the early morning hours of the 18th, GRENHAM was killed with those other men. That day you moved over to here, right back across that bridge, right over there, and the following day you moved over to here. You did this all by marching?

A. How can I forget, all that marching, wow.

Q. Okay. Does that bring this back to you? Can you remember the events. Now, let me ask you, when you were moving on the 19th--on the 18th you crossed the river again, went up on the hill and stayed around the hill. The 19th you moved up around to the east of Uptight. During that march up to Uptight, or past Uptight, what was the formation of the company? Can you recall?

A. More than likely it was a squad-column. That's what we usually--most of the time that's what we used, squad-column.

Q. But what platoon was leading?

A. I don't think it was the 3d Platoon. It had to be either the 1st or 2d.

Q. Now why would it--where was the 3d Platoon in the column?

A. Half of the time they put us in the rear. Very few times in the center.

Q. Were you ever up front?

A. Oh, yes, sir. We was up front a few times. I served quite a few times as the point man because I like to do that. I had to go up front going to--we went to one village and I was the point man and I missed a turn, I remember that one. But going up there, I couldn't say who was leading.

Q. Would you think that the 2d Platoon might have been leading after they'd lost--

A. (Interposing) No, wait a minute. Might or might not, but I doubt it. It was more likely the 1st Platoon.

Q. Let me ask, after you'd been hit and you went back across the bridge and you started heading off to the west to the Hill 108, I understand that you may have received some sniper fire from the village and that that was the reason the 3d Platoon was in the rear. Does this sound sensible? Because the 3d Platoon was the strong platoon.

A. Yes, sir, we hardly--well, let me see--

Q. (Interposing) Do you remember sniper fire coming as you'd - -

A. (Interposing) Yes, we wanted to cross--we got out of that village and I believe we did get sniper fire. We hardly ever lost any men but when we did, we lost them in a whole great bunch at a time. I know we lost a--I think that was the time that SUMMERS got hit. Got hit by one of our own people, really. One of the tracks. The time we went down to--

Q. (Interposing) That was not this operation?

A. No, that was another, I'm afraid. The time we went down to Binh Son.

Q. Binh Son?

A. Yeah, Binh Son, or Son Binh, I don't know what it was.

A. That was the time that the 3d Platoon did lose men. That was the first time that we had ever lost men. We never lost any men at all, the 3d Platoon. It was usually 1st or 2d.

Q. Okay, now let's talk about the day of the 19th. Your going from the hill up passed Uptight, to the east of Uptight, and over toward the coast. And

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you had some choppers flying, hovering, H-23 choppers, are flying cover for you, one flying low and one flying high. Now, I appreciate that most of the time you were marching across this type of area on an operation you did have chopper cover. Is that correct?

A. I don't remember, really. I don't really remember if we did or not.

Q. You don't remember in your operations that you normally had some choppers around in the area? When you were the point man, you remember choppers working out in front of you and off to the flank? When you were out there on the flat road in the low land?

A. Only when they were requested. I mean, but normally I wouldn't think so. The only thing that was flying was that, what do you call it, a little plane that has the two engines, one in the front and one in the rear.

Q. The O-2?

A. That's the only thing that ever flew above us or left or right of us.

Q. All right. This day then, the day that I'm talking about, the march that you were on, you did have two choppers flying cover for you. Out in front to the left flank as you were moving along the low chopper started going around in circles, low to the ground, and called down to the company commander that he had a VC suspect cornered, to send somebody out for him. Two men went out 200 to 300 meters to the left flank of the company. When they got out there one of them stuck a bayonet in this guy and then shot him while he was laying there on the ground. Remember anything like that?

A. The men went out to the left.

Q. Probably from the leading platoons.

A. More than likely. No, sir, I can't.

Q. All right. The chopper pilot was so mad he couldn't stand it. He got on the radio, a warrant officer, he got on the radio and he chewed the company commander out over the radio, telling him he had kept his chopper there at a low level for 20 minutes risking the chopper and the crew so a prisoner could be taken, that when the men got out there instead of taking the prisoner so they'd get some information, the idiot shot this VC and there would be a cool day in hell before he would ever corner another prisoner for the company and so forth and so on. And he wanted to know why this man was shot. Remember anything like this? The chopper pilot chewing out the company commander over the radio?

A. No, sir, because of the fact that--see, the platoon camped on--

Q. (Interposing) I'm talking about maybe talk later on. I know that you weren't on that command net but he was on the command net, yes. That chopper was on the company command net, because the company commander called the platoon leader on the radio, excuse me, you were about to say something.

A. No, because, let's see, see the company commander he's got a radio. The company commander usually had two radios, one for our frequency between platoons, and one for battalion net. Now, the chopper pilot could have been on the battalion net and that's why the, you know, and that's why we don't hear anything on our own frequency.

Q. Now, the company commander called the platoon and said, "Why did you shoot this guy?" And over the radio the crew of the chopper heard the platoon leader say, "Why did you shoot this VC?" And the man he talked to said, "a-a-a-a," and the platoon leader said, "Did he have a grenade in his pocket?" The guy said, "Yeah, yeah, he had a grenade in his pocket." The platoon leader said over the radio to the company commander, "The man had a grenade in his pocket; he was a VC." Did you ever hear of anything like that going on? Does this bring anything at all back to you?

A. No, sir, but I can say this much. The man said that the person he went to try to capture had a grenade in his pocket. The only way he could have known that the man

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had a grenade in his pocket was to search him. And according to the situation, the way you state it, they just went up there and just stuck the bayonet in the guy's throat or what have you and shot him? So therefore--

Q. (Interposing) Turned around and came back.

A. And turned around and came back. So therefore, they didn't search him. They couldn't have said that the man had a grenade in his pocket even though if the man had a grenade in his pocket, you know, they search him after they'd stuck the grenade or the bayonet in the guy's throat it would have been too late anyway. Because he had to search him in order to do any damage, to prove that the man did have a grenade in his pocket.

Q. And let me ask you this? Was that the proper way to treat the prisoner?

A. In my opinion, no, sir.

Q. Well, it's not a question of opinion. It's a question of what you know.

A. Well, that's not the way to treat a prisoner, period, any prisoner.

Q. Okay. Now, the chopper pilot knew that there was no search made. He knew that this was merely an excuse given over the radio, and what I want to know from you is did you ever hear or have knowledge of or hear rumors of such an event?

A. No, sir.

Q. Do you think that it could have been in your company? Did you have guys in your platoon or your company that could have done this?

A. Well, I'll say this much. In my platoon we did have people that could do it, yeah. We did have people that could definitely do it, but as far as doing it, no,

they didn't do it. Not from my platoon. Now, there were some real thirsty blood hounds, but as far as come right out and and just stick a bayonet or shoot some poor Vietnamese down without even asking for anything--because the first we go in, like we go in the village. The first thing we start searching for, we start searching the hootches and we start gathering the people around, and we start checking for ID cards. If the people, we don't expect them children, but if the grownups, let's say "mama-san" and "papa-san," if they both have ID cards, well, that to us that's good enough. The company commander says search the people for ID cards. That's the first thing we do. We check for ID cards and if you got ID cards, good and well. We just leave them alone. If they don't have ID cards, then we take them in as prisoners; or if we suspect that even if they do have ID cards, if we suspect that they might know something, we take them up to the company commander as prisoners. But as far as just downright killing the people like nothing, we never did, not in my platoon. Now I have no, well, I'm not going to say about the company because the fact that the platoons were never at the same place at the same time. They might have, now like we have two small villages that are almost together and they'd say, "Okay, 3d Platoon you go into that village and 2d Platoon you go to that other village." Now, we don't know what they're doing and they don't know what we're doing.

Q. Is there a lot of shooting done in those operations?

A. In a search operation there was no shooting unless absolutely necessary. When we go into a village, really, anybody that's been there can probably tell you that during the daytime there are no men in the village whatsoever. There's nothing but women and children. The men are nowheres to be found?

Q. Unless they're old men?

A. Unless they're really old men. The young men or or middle-aged men, men that can probably work, are probably working out somewhere. When it was merely just search,

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that's all we did. There was no shooting whatsoever.

Q. What happened on a destroy operation?

A. Well, it all depends on what the company commander wanted to do. I mean, it was, if the company commander says there's the village and throw grenades into the bunkers just in case there's somebody in there hiding or something, that's what we did.

Q. Whether you'd been shot at or not?

A. Roger, because see, the tunnels are, some of them are kind of short and some are real long. Not too many people want to get into those tunnels. We only had one man that was handling demolition in our platoon and he volunteered for it. He wasn't even getting paid for it. He'd go in the tunnels as our tunnel rat, go in there and check out and then come out. Tunnels that people weren't sure of or anything, we'd just throw a grenade in there and see what happened.

Q. All right, tunnels are one thing but bunkers are another. Right?

A. Yes, sir.

Q. You would quite often or normally or not very often toss grenades in the bunkers without looking first?

A. Yes, sir, that's right.

Q. How did you know that there weren't just civilians in there?

A. Well, because the first thing when we went in, the first thing we did was to get all the villagers in one location. If they were in the tunnels we'd get them out of the tunnels. Then we'd make sure that nobody was in there as far as women or children. When we sent a tunnel rat in to check it out. It's been known, by former talk among our own people, that Charlie can very easily put a poison snake at the entrance, because when a tunnel rat goes in a tunnel he generally doesn't look up to see if anything is hanging at the entrance there.

His main concern is to look inside of the tunnel and see if there's anything at the rear of the tunnel or anything that he can see. He doesn't look up there to see what's hanging. I can count my times, I went into three tunnels myself. But I knew about this hanging rattle snakes and what have you, so I just checked it out. Well, there's anywhere's from scorpions to tarantula and everything in those tunnels. But in my platoon we never massacred anybody, really. Not in my platoon. I can't say anything about the 2d or the 3d Platoon. I mean, 'cause I don't know.

Q. Well, there's no indication that this was the case; there's an indication about the shooting of persons. This is what I'm trying to nail down, because this is a report. What I want to know is, did anybody in the company know about this? Let's put it this way, if such a thing happened you would have heard about it?

A. I don't think so because our 3d Platoon merely stuck together all the time. We didn't affiliate with the 1st or 2d, maybe some people but not too many.

Q. What about your platoon sergeant? You mean the three platoon sergeants didn't get together?

A. Well, they got together with the, like the first sergeant down there at the CP and the first sergeant and the company commander and what have you.

Q. Who was your platoon leader during this time? Do you remember?

A. Well, when I got there my first platoon leader was Lieutenant BOYLE, but he got hit and then came Lieutenant a--

Q. (Interposing) COKER?

A. No, COKER was 2d Platoon, I believe. 2d or 1st. No, there was another one. In fact, he served as my prosecutor once. He was the XO of the company for a while. LUNDEEN. He was--

Q. (Interposing) What do you mean your prosecutor?

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- A. Yes, sir, I was--that's what he did.
- Q. What were you tried for?
- A. Well, I was tried in August 1966. They slapped an inefficiency charge on me in Hawaii. He served as my prosecutor and I beat the case.
- Q. Who was your defense counsel?
- A. Captain John AVEKA.
- Q. LUNDEEN was what? In this operation?
- A. In this operation--
- Q. (Interposing) Wasn't he the 2d Platoon leader?
- A. No, sir. He was, LUNDEEN was always XO unless the 3d Platoon--the only reason he took the 3d Platoon is when we lost Lieutenant BOYLE.
- Q. Okay. He may have been your platoon leader on this operation.
- A. Well, I don't remember what month Lieutenant BOYLE got hit.
- Q. Got hit before this?
- A. Got hit before this. All right, so he might have been the platoon leader of our platoon.
- Q. Know Lieutenant WHITE?
- A. Yes, sir.
- Q. Who was he? What did he do?
- A. He was platoon leader for--he was platoon leader for 2d Platoon there for awhile. Then he came over to us in 3d Platoon until we got up--well, when we got up to Uptight, he was our platoon leader.

Q. Do you mean after this operation was over. This is just when you went to the hospital.

A. Yes, sir. He was our platoon leader.

Q. He was your platoon leader. When did you get him? Can you recall that day or the day before or 2 days before or the week before?

A. I'm not sure, but I think we got him the week before. I'm not sure.

Q. Okay. So on this operation he might have been your platoon leader?

A. He could have very well be, sir.

Q. Was he just new into the company?

A. He was fairly new there.

Q. Well, when Lieutenant WHITE first came in the company, see if you can remember what platoon did he go to?

A. When he first came into the company I think he went to the 2d Platoon. But he could have well gone to 3d Platoon.

Q. Now, these platoon leaders could have been up there--

A. (Interposing) Yeah, the platoon leaders switched around.

Q. They were?

A. I believe so, I'm not sure.

Q. You mean you very seldomly had a lieutenant you could call your own?

A. Well, just about. The only one we could call our own was Lieutenant BOYLE and he got hit and then Lieutenant



LUNDEEN came in for awhile. Then Lieutenant WHITE came in so Lieutenant LUNDEEN went back to XO, all the way back to the rear.

Q. Okay. I'm trying to make you remember, in great detail, what happened 2 years ago. I know it's very, very difficult, but all this information I'm giving you is just trying to jar your memory a little bit.

MAJ APICI: Have you ever see Joe GRIMES since you left Vietnam?

A. No, sir. I don't even have his address. The only thing I got was that they put out an Americal book and they showed the various units under the Americal and there's a picture where they got three people going across a rice paddy and the middle guy, the biggest guy, of the three is Joe GRIMES. And that was identified by one of these people that was in his company. We was together up in Chu Lai, up with the 26th Battalion. He was in C/1/20 before he went up to Chu Lai. He was there at that My Lai deal with the company.

COL ARMSTRONG: I'd like you to think about later on when you joined the engineer battalion, when you were working in the headquarters near the supply depot or maybe when you were in the engineer company. Was that the same company that had supported the 11th Brigade?

A. No, sir.

Q. What happened to that company?

A. The company that was supporting the 11th Brigade was Charlie Company, 26th Engineers. They were in Duc Pho.

Q. Did you know any of those people?

A. Truly no. About the only guy that I knew that was a supply sergeant there, and I'd just seen him this one time that I went down there. I mean I really didn't know him. I just went there because I was looking for a tent. I went to his supply room, but I didn't know any of the

people in Charlie Company at that period.

Q. Let me ask you this. While you were in this battalion, either in the company or in the battalion headquarters in the supply business, did you ever hear any stories about the 11th Brigade and how rough they were on a Vietnamese? Stories go across division; you know that? I'm just trying to think if you ever heard of anything where they didn't do things right. Anything unusual taking place down there?

A. Really, I don't think that those people up there found out too much about the 11th Brigade, only the people that were in Charlie Company down in Duc Pho. Because, like, I was in Delta Company and when I first got there in June they were up at LZ Baldy. I had to go all the way up there. There was only one guy that was with the 11th Brigade since Hawaii and he was in supply. He was up there, and I met him. But while he was with the 3/1 he worked in S4. And we never talked anything about any incident whatsoever 'cause I got there one day and the following day this other guy got up there. We got to talking. He thought I was in 3/1 and I found out that he was in C/1/20 and then we started talking about the Pinkville and all of this. And I said we went there three times. But as far as any conversation as to exactly tying down activities of what they did and what we did, he never mentioned anything of their activities of what they did while they were in there to me.

Q. Did anybody ever tell you, or did you know it in the company, that this was the biggest day of the 11th Brigade since you'd arrived in Vietnam?

A. No, sir.

Q. The biggest body count the 11th Brigade had had so far? Did you get the brigade newspaper down in the company?

A. The Stars and Stripes? They might have gotten it down in Duc Pho.

Q. I'm talking about the brigade newspaper.

A. No, sir, not the brigade.

Q. The Trident, did you ever read The Trident, which is a daily newspaper?

A. I think I read it once or twice, because they didn't send us too many copies. Usually they'd send you about one copy per five men. They didn't send us many. I think most of the copies stayed like in the CP, you know. Then there was the copies for the CO, the XO, the first sergeant, and maybe a copy or two per platoon or however many men you got. They broke them down one for five and I read it once or twice, The Trident.

Q. But you never read about what a great outfit this Task Force Barker was?

A. No, sir, I sure didn't.

Q. Biggest bunch of hellions in the world? "Barker's Bastards" they called them.

A. Yes, sir. He even designed a round patch for us. I come back to the states and I can't even wear it.

Q. That's right.

A. I wore it right after I got to committee group. We had a Colonel YANTZES there and he saw that thing once and he told me, he says that things' got to come off. So now I got a bunch of patches and I can't even wear them.

Q. Do you know Sergeant BENGGE?

A. Sergeant BENGGE, BENGGE.

Q. B-E-N-G-E.

A. Well, the BENGGE I know called himself BENGGE. I think he had a gold tooth.

Q. All right, Sergeant Clarence BENGGE. BENGGE, what

ever you want to call him. Do you remember him? He was in the mortar. He was a weapons NCO.

A. Yes, sir, he had a gold tooth.

Q. Did you know that he went with the command group quite a bit, as a command security element? Got a squad of his mortar people together and protected the company command group. Do you remember this?

A. Yes, sir.

Q. What was your opinion of him as a noncom?

A. Well, I don't know because he didn't talk to me, and I didn't talk to him.

Q. You mean you didn't know each other?

A. Well, you could say we knew each other as far as seeing each other around there, but he stayed in his area, and I stayed in mine.

Q. You didn't know each other well.

A. No, sir, I don't think we even said one hello.

Q. All right. What about NEEDHAM? Do you know him?

A. NEEDHAM, yes, sir, I do.

Q. What do you think of him?

A. Well, he was a real nice person. Him and I got along very well, very well. We'd talked to each other. We had our laughs and kicks and everything else together.

Q. Was he a good soldier?

A. He was a good soldier. Very good soldier.

Q. What about Sergeant RAVENCRAFT? I want your opinions.

A. Well, he was a pretty strict man. He was what they called too much of a soldier.

Q. Was he a good noncom?

A. He was a tremendous noncom. He was real strict. He was, you know, what they call a real soldier. He was a man that went according to the book without deviations whatsoever.

Q. What about Sergeant WATANABE?

A. He was a tremendous man. I'd never had another platoon sergeant like him.

Q. Okay, he was a fine person. Was he a good noncom?

A. Yes, sir. He was about the best there is, really. As far as I'm concerned.

Q. Good soldier, good noncom, good leader, good platoon sergeant, good--

A. (Interposing) Yes, sir.

Q. Whale of a good man.

A. Yes, sir.

Q. As company commanders go, how was Captain RIGGS?

A. He was like a child, too. Well, I don't know. I guess he was a good company commander. He had his own policies and his ways. He had his own policies; of course he knew me from before, from that other incident. He and I didn't get along at all. And I think when he took command, I think he looked back into that incident that happened, and he had it in for me. Because I even told the first sergeant about it. The first sergeant gave me a few pointers. He always used to tell me, "Well, if he was me I know what to do. It ain't me so I won't tell you what to do." I think the first sergeant, when he got there, he was, somebody must have gave him my history or

something, in that battalion. He got to the company a week before we shipped out, and I got transferred during the voyage. I went to him and he knew everything about me. He knew every incident, what'd they done to me, how they done it, and everything else. I feel in a way he thought, he felt kind of sorry for me, really. He tried to help me as much as he could, but he couldn't go all the way. He couldn't go against the company commander. But he tried to help me quite a bit. He was the one that got me encouraged as going to the IG and all this good stuff. It worked, not come right out and say, "Well, go right to the IG," but by telling me that if he was him he knew what to do. Well, I got the impression, well, if he was you, he'd go to the IG, well so do I.

Q. Well, you were an E-5?

A. And that--and I've been in the service so far I've been almost, well, I've been in 10 years. I've got 10 years service and that's the first time I've ever actually gone to the IG. Never had to go to the IG.

Q. Okay.

A. Mainly because I asked the company clerk to type me up a 1049 and he wouldn't do it. I told the IG that and he got real upset. He picked up the phone and called the adjutant and he says he wants to see a 1049 on his desk 2 days after, and he didn't want any excuses. He really got upset about that. I had to go because nobody would listen to me. I haven't had to go to the IG any more.

Q. That's why we have IG's. You don't have to apologize for having to go to an IG. That's why they're there. They're there to serve the individual soldier. So don't ever forget that.

A. Yes, sir.

Q. Just make sure that none of your men are treated in such a fashion that they feel they have to go to the IG

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about you. Okay. Sergeant, I appreciate your coming in. You've been very helpful.

A. Thank you, sir.

Q. Some of this information that I wanted you haven't been able to tell me about, but you told me about other things. This is helpful to General PEERS. He'll read your testimony and it will be taken into consideration. I would like to remind you again that your not to discuss what went on in this room with anyone.

A. Yes, sir.

Q. Unless you're called before an official body of some kind, like a court, administrative investigating body; or even an investigating subcommittee of the House Armed Services Committee may call you. We don't think that they will. But they may, and if they do, anything you said here you can talk over there. There's no question about that. It's just that we don't want you to talk to anybody else about it, and we want you to be particularly careful when you're around here that you don't talk to any other witnesses about this committee. All right?

A. All right, sir.

Q. As I say again, thank you very much for coming in.

A. Thank you, sir.

COL ARMSTRONG: The hearing will recess.

(The hearing recessed at 1058 hours, 13 February 1970.)

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SUMMARY OF TESTIMONY

WITNESS: BOATMAN, Kenneth W. CPT

DATE OF TESTIMONY: 19 January 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT, 16-19 MARCH 1968: Forward Observer for the 6/11 Artillery, attached to B/4/3.

1. BACKGROUND INFORMATION.

The witness stated that on 10 August 1967 he was assigned to B/4/3 as the artillery FO from the 6/11 artillery (pg. 15). On 27 May 1967 he had been assigned as an FO in Hawaii and he began working with B Company in August (pg. 16). He stayed with them when they moved to Vietnam and left them on 23 May 1968 when he returned to LZ Bronco to take an FDC course from which he went to be the executive officer at a 155-105 composite battery at LZ Liz (pg. 16). He was assigned to various batteries prior to his departure from Vietnam on 30 November 1968 (pg. 16). While with Bravo Company he stated he participated in every operation that they made (pg. 3). He stated that in 6/11 artillery he was the training officer of B Battery and he conducted classes on the Geneva Conventions (pg. 3). He did not recall if his battery received training prior to their leaving Hawaii concerning PWS or noncombatants nor could he recall receiving such training in Vietnam (pg. 4).

2. PREOPERATIONAL PLANS AND BRIEFINGS.

He did not attend the battalion level briefing at Fire Base Dottie (pg. 4). He did attend the company briefing given by Captain MICHLES at Fire Base Uptight at 0700 hours on 16 March (pg. 5). This briefing was given to the platoon

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leaders, the E-6's and E-7's, the platoon sergeants, and himself (pg. 5). Captain MICHLES explained the situation where 1/20 was going to have an LZ and where B/4/3 was going to land. MICHLES designated where the platoons were to go and the witness recalled him saying "We have had a lot of trouble down there" and that they were to "clean the place out" (pg. 5). MICHLES also stated they were going to "take care of them, get rid of them" (pg. 5). The witness stated they were leery of the Pinkville area because of previous operations and that he felt they were enthusiastic about going in to clean the place out (pg. 6). He did not know if the area they were going into was referred to as Pinkville or not (pg. 6), but he did know that the area was under South Vietnamese control and that permission was necessary to cross the river (pg. 7). There was no mention at the briefing made of prisoners and the witness stated that MICHLES did not believe in killing people (pg. 7). The inhabitants in the area were described as being VC sympathizers but the witness did not think that they were to destroy the noncombatants and inhabitants of the village. They did anticipate some return fire (pg. 7). He did not recollect MICHLES saying to burn the villages but felt that because they had done so previously he may have (pg. 7). There was no mention of foodstocks made (pg. 8). The witness stated that MICHLES told them that BARKER said the area was full of VC or VC sympathizers (pgs. 8, 9). The witness stated later that he did hear MICHLES instruct the people to burn the villages (pg. 9), but he did not see any livestock being killed (pg. 9).

3. OPERATIONS FROM 16 MARCH THROUGH 19 MARCH.

a. Landing on 16 March.

The witness indicated on Exhibit P-179 the flight path taken from LZ Uptight which extended southeast and turned to south over the South China Sea until it reached an area in the general vicinity of Co Lay (3) where it turned west in the vicinity of the Nuy Ngang Mountain and then turned north to a landing zone which was marked as number #1 (pg. 17). He was in the first lift but not in the first aircraft and could not recall where his aircraft was in the V formation (pg. 14). He felt that he was with the company commander and that the doorgunners were firing (pg. 14). He stated that the flight took seven minutes and he did not recall having to make a "go around" that day

(pg. 12).

b. The artillery prep prior to landing.

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The witness thought a normal five minute prep was fired into the area where they landed (pg. 12). He did not know how long the prep lasted but felt that five minutes was normal. Delta Battery at LZ Uptight would have planned the artillery prep and usually one was fired to clear the area of people. He did not feel that a prep was necessary for this area because it was open terrain (pg. 13). He recalled some VT being fired to clear mines and booby traps after Lieutenant COCHRAN was killed (pg.14). This prep, fired after they landed, could have been adjusted by BERTENSTEIN who was the artillery FO with the first platoon and who had been trained by the witness (pg. 57). He recalled one booby trap going off as a result of the VT prep which consisted of five to ten rounds (pg. 26). This concentration is marked on Exhibit P-179 as number #4 (pg. 26). The initial prep would have been planned by the liaison officer and the witness had nothing to do with the planning (pg. 17).

c. Initial movement.

At MICHLES briefing it was planned that the second platoon would go to the north, the CP and the third platoon would go in another direction and the first platoon would go across the river (pg. 9). The witness felt the first platoon was to block the rear and that the whole unit was to sweep to the 120 and close with it (pg. 10). The witness was with the CP group who he described as consisting of, Captain MICHLES, SP5 SWEENEY, a medic, E-5 HONEYCUTT, his recon sergeant, and PFC FRENCH, his RTO (pg. 10). He stated that Sergeant CONGLETON could possibly have been an RTO because there was more than one that day (pg. 10). Normally, the mortar platoon would stay with the CP group but he is not sure that they stayed with him that day (pg.11). The LZ was cold when they landed and he stated that they set up a normal perimeter and waited for the second load to come (pg. 17). The first platoon deployed to the east over the bridge in the vicinity of the My Khe (4). The

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stated that they went clear to the end of the peninsula and he remembered remarking to SWEENEY that it was "a hell of a way to spend Saint Pat's day" (pg. 36). The mortar platoon did not go with them as they stayed behind to support them at the bridge (pg. 39). During the trip south he did not see any bodies (pg. 39). He did not remember the platoons receiving any sniper fire (pg. 40), nor did he see any rapes occurring (pg. 41). He did not recall any interrogation of the civilians that were rounded up (pg. 42). They encountered no more than 25 people all the way down to the end of the peninsula (pg. 43). He stated that when they reached the end they returned to the laager position but he did not recall where this was located (pg. 36). On either 17 or 18 March he recalled the Navy sending a bunch of civilians in to the company (pgs. 45, 48).

g. Activities of the unit on 18 March.

The witness recalled entering the village and seeing some "scraggy looking kids" and remembered that MICHLES told the men to round the people up and they called in a MEDCAP (pg. 45). He stated that from 250 to 750 people were rounded up by the third platoon and brought to the MEDCAP which came in in the afternoon and remained for "quite awhile" (pg. 46). The MEDCAP landed on the beach (pg. 46), and that there were four or five people aboard (pg. 47). He recalled some ARVN soldiers being present but he did not know where they came from (pgs. 47, 48). He did not hear any fire during the afternoon (pg. 49), and he stated there was a platoon to the south and one to the north (pg. 49). The MEDCAP departed at 0400 or 0430 hours and the unit went to its laager position (pgs. 49, 50). At 0500 or 0530 hours he stated he called in artillery on defensive targets which he marked as point #10 on Exhibit P-179 (pg. 50). A woman was later brought in who was hit by one of these artillery shells and she was dusted off (pgs. 50, 51). He stated that he reported this to Lieutenant WRIGHT, the fire direction officer at the time in Delta Battery at LZ Uptight (pg. 51). This was reported over their commo net (pg. 51). The witness stated that after the woman was evacuated it was dark and he went to sleep only to be awakened at 0200 hours when there were incoming mortar rounds (pgs. 51, 52). He stated they received 20 to 25 incoming rounds which killed MILUS and wounded several others all of whom were dusted off that night from the same

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spot where the woman had been (pg. 52). He fired counter mortar fire at one of the defensive targets indicated on Exhibit P-179 as point #13, based on a report from the first platoon that they had seen flashes in the area (pg. 52). He stated the rounds were called in not further than 300 to 400 meters away (pg. 53).

h. Activities of the unit on 19 March.

The witness stated that the company was picked up the following morning between 0900 and 1200 hours (pg. 53). He believed they returned to LZ Dottie but stated it may have been to LZ Uptight (pg. 60). He stated that the unit did not undergo any significant change in the type of operations from this point on (pg. 61).

i. Reports of KIA.

The witness was informed that the SITREPS of the division indicated that B Company reported 12 KIA in the vicinity of the bridge (pg. 53). The witness felt that all of those people were reportedly killed by Lieutenant WILLINGHAM (pg. 53). Although he was given a total figure of 38 from the SITREP, the witness felt that 29 was the figure that WILLINGHAM received credit for (pg. 54). He did not recall Captain MICHLES getting a request from higher headquarters for a breakdown of women and children nor did he recall WILLINGHAM reporting that no women and children were included in his VC body count (pg. 54). The witness stated that although only three weapons were captured by the first platoon B Company (pg. 54), he thought that it "seemed odd" that killing so many people they did not get many weapons (pg. 55). He stated that because he only saw one body the next morning in that area he felt that he doubted the validity of original report (pg. 55). The witness stated that he was sure that each weapon that was found in B Company was reported (pg. 56), and he stated that the weapons would normally be tagged and the individuals would get them back (pg. 55).

4. INVESTIGATIONS CONCERNING THE ASSAULT.

The witness stated that Captain MICHLES informed him that MEDINA's company was being investigated for shooting civilians (pg. 61). The witness stated that was all he

heard of it until he saw an article in the Americal newspaper indicating that General WESTMORELAND congratulated the units (pg: 61). He stated that MICHLES told him that a warrant officer reported people being killed but there was not much talk about the incident (pg. 61). He thinks this occurred on LZ Dottie a few days after the operation, possibly on 22 March (pgs. 61, 62). The witness stated that he was a close friend of Lieutenant WILLINGHAM and he felt that he may have heard about the investigation from him (pgs. 62, 63). The witness did not recall hearing of any field grade officers or officers from higher headquarters investigating the incident (pg. 63). He did not recall an artillery incident investigation on the operation (pg. 63). He was not told not to discuss the unnecessary killing of civilians by the task force (pg. 66). He stated that Colonel BARKER came into the laager area on the 19th before they were extracted but did not say anything other than the operation was successful (pg. 71). He did not see Colonel HENDERSON with Colonel BARKER (pg. 71).

5. OTHER INFORMATION.

a. The witness recounted an incident which occurred at LZ Uptight in which a man named JEFFERS who was stationed in the base camp at Chu Lai sent some marijuana through the first platoon which was confiscated by Captain MICHLES (pg. 66). He believed that either HOOTON or TITTLE or NEEDLE was involved in this marijuana incident (pg. 67). The cigarettes were stolen from MEDINA after they were confiscated and were not found again (pg. 67). MEDINA had given TITTLE an Article 31 warning on the incident but TITTLE denied it (pg. 67). However, the witness did not think that any members of B Company were high on marijuana during the operation, nor was there a serious problem with it in the company (pgs. 67, 68).

b. Witness stated he had no recollection of hearing that 69 VC were killed by artillery on 16 March (pg. 69). He felt that he would have remembered this as it was a high figure (pgs. 69, 70). He did not recall any discussion among the artillery people on this point (pg. 70).

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EXHIBITS

EXHIBIT NUMBER	DESCRIPTION	NOTES	PAGES
M-20	Transcript of the tape from the TF Barker TOC	Wit did not recall the indicated activity.	19
M-23	Americal Newsheet, 17 Mar	Shown to witness.	69
P-18	Miscellaneous Scene	Wit recognized the American as HUTTER.	58
P-20	Miscellaneous Scene	Wit identified MARSHALL in right rear; LT JOHNSON in rear with his helmet off; LAUGHMILLER in left front; and SGT HONEYCUTT in front with a tattoo.	58
P-21	Miscellaneous Scene	Wit identified LT JOHNSON in left rear.	59
P-22	Miscellaneous Scene	Wit identified LT JOHNSON and his interpreter.	60
M-23	Miscellaneous Scene	Wit identified CPT MICHLES and his RTO.	60
P-147 thru P-150	Miscellaneous Scenes	Wit recognized P-147 and P-148.	36,37
P-179	Annotated aerial photo of the My Lai (4) area	Wit marked the following:  I-For the flight path.	17

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EXHIBITS

EXHIBIT NUMBER	DESCRIPTION	NOTES	PAGES
P-179	Annotated aerial photo of the My Lai (4) area.	2-For the spot where LT COCHRAN was killed.	18,25
		3-The spot where four men were wounded.	25
		4-The spot where the artillery concentration landed.	26
		5-As the push off spot for the 1st platoon.	26
		6-The spot where the 1st platoon moved to and reported 29 VC KIA.	26,27
		7-The night laager position.	27
		10-Right defensive targets on 18 Mar	50
		11-MEDCAP location on 18 March.	45
		12-Location of woman wounded by artillery.	51
		13-Position of the defensive targets after the mortar attacks.	52

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(The hearing reconvened at 1117 hours, 19 January 1970.)

COL WILSON: The hearing will come to order.

RCDR: The following named persons are present: COL WILSON, MR WALSH, LTC NOLL and MAJ THOMAS.

The first witness is Kenneth W. BOATMAN.

(CPT BOATMAN was called as a witness, was sworn, and testified as follows:)

Please state your full name, grade, Social Security number.

A. Kenneth Wayne BOATMAN, Captain,

RCDR: Please state your branch of service, organization, and duty station.

A. United States Army, B Battery, 1st Battalion, 68th Field Artillery, APO New York 09025.

COL WILSON: Before we proceed with any questions, I would like to inform you of several matters.

The Peers Inquiry was directed jointly by the Secretary of the Army and the Chief of Staff of the Army for the purpose of determining facts and making findings and recommendations concerning the My Lai (4) incident of 16 March 1968.

In conducting his investigation, General PEERS determined it was necessary to have a complete insight into the overall ground and air operations in the Son My Village area during the period of 16 to 19 March 1968. And he, therefore, appointed Interview Team C, which is this team, to interrogate people from B/4/3 or attachments and prepare a complete description of the unit operations.

You may expect General PEERS or other members of his board to come in at any time.

Your testimony will be taken under oath. A verbatim transcript will be prepared. A tape recording is

(BOATMAN)

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being made in addition to the verbatim notes being taken by the reporter.

Although the general classification of our report will be confidential, it's possible that your testimony or parts of it may later become a matter of public knowledge.

During this interview the board will follow a chronological sequence of questioning. The first series of questions will be concerned with training just prior to and after arrival in the Republic of Vietnam. The next series of questions will be concerned with the briefing prior to the combat assault. And the third series will be concerned with operations on 16, 17, 18, 19 March 1968. The last series of questions will be concerned with anything regarding prior investigations or inquiries which you may have a knowledge of concerning this particular operation. Do you have any questions on this?

A. Not yet, sir.

Q. Captain BOATMAN, what was your assignment on 16 March 1968?

A. Sir, I was assigned as the FO, B/4/3. I was FO for the 6/11 Artillery, attached to B/4/3.

Q. As FO from the 6/11, which company were you assigned to in the 6/11?

A. I was with B Battery.

Q. B Battery?

A. Yes, sir.

Q. How long had you been in this assignment?

A. Since 27 May 1967.

Q. How long had you operated with Task Force Barker?

A. Since its beginning.

Q. And always with Bravo Company?

(BOATMAN)

A. Yes, sir.

Q. How many operations had you participated in with Bravo Company?

A. Every one of them. I didn't miss any.

Q. A bit on training before you left Hawaii: did you get any specific training on handling prisoners of war or civil noncombatants?

A. Sir, not from the infantry. We conducted our own training and within the 6/11 Artillery, yes, sir.

Q. How about Geneva Convention, did you have anything on that?

A. Yes, sir. It was required. I was training officer of B Battery, and we did conduct classes on it.

Q. Is it required that the people that take this training make some sort of notation in their training records or in their 201 records?

A. Yes, sir.

Q. Do you know where this entry is made?

A. In my form, it would be the dash 66.

Q. Form 20 on the individual soldier?

A. Yes, sir.

Q. As a training officer, do you recall if this particular training had anything concerned with the legality of orders?

A. I don't follow you, sir.

Q. The blind acceptance of orders that are considered to be illegal?

A. No, sir.

Q. You don't remember anything like that ever being

approached or addressed?

A. No, sir.

Q. Was there any particular training given to your people right before they left Hawaii concerning Vietnam and concerning those two subjects, PW's or noncombatants?

A. Sir, I don't recollect. I was training officer for the first 3 months. After that the XO took charge of it. I just can't recall that.

Q. When you arrived in Vietnam, did you go through any training like that?

A. Concerning PW's?

Q. Yes.

A. I can't recall, sir.

Q. Noncombatants?

A. No, sir.

Q. Let's get the dates and times of this particular operation which you apparently recall, because in informal discussions you seem to indicate you remember something about this operation.

A. Yes, sir.

Q. We are talking about the period of 16 March and a few days later. Our information is there was a briefing held. The briefing was held at Fire Base Dottie. Did you attend that briefing?

A. No, sir, I did not.

Q. Is it normal that you attend briefings concerning operations at battalion level?

A. Depending on the situation. I have attended briefings, yes, sir. I did not attend that one.

Q. Did you attend the company briefing?

A. Yes, sir.

Q. Who gave it?

A. Captain MICHLES.

Q. Where?

A. Fire Base Uptight.

Q. What time?

A. Around 0700 on the 16th. I would say it was the morning before we left. The time I cannot recall. What I can remember him saying, if I may, is, "We've had a lot of trouble down there--a lot of trouble, not just a little." We were informed to go down there and clean the damn place out. I wouldn't be quoted on the "damn place," because he didn't swear much. He said that we were going to take care of them, get rid of them.

Q. And he gave this briefing the morning of the operation?

A. Like I say, it seems like it. Either that or the night before. I don't know what time it was.

Q. To whom did he give this briefing?

A. To the platoon leaders and myself, the E-6's and E-7's, and platoon sergeants.

Q. How did he give the briefing? Did he use a map?

A. Yes, sir. He explained the situation, where the 1/20 was going to have an LZ and where B/4/3 was going to land. He also designated the 1st Platoon to go one way and the 2d Platoon where to go. And the 3d Platoon, I believe, was to go with us.

Q. How long did this briefing take?

A. I don't recall right off hand.

Q. Were there any questions at the end of the briefing?

A. I can't recall that, no, sir.

Q. I want you to describe to the best of your knowledge and in as much detail as possible exactly what he said as to what was to be done or what he meant by "clean the place out."

A. Well, sir, the reason was we had lost a lot of casualties; we lost a lot of people. In February we had a big battle, and we had a tactical withdrawal with the APC's in that same area. We knew that they were down there, and we all, to be quite frank with you, thought that everybody down there was VC including the dogs, chickens, cats, and everything else, because everytime--we encountered nothing but booby traps everytime we walked in the area. We were very leery of the area, and especially when we were picked to go near that Pinkville area, which--we were right below it, where we did make our CA. But I think everybody was enthusiastic about going down there in that respect. We were going to get rid of it--clean the place out, we were hoping.

Q. How did Captain MICHLES describe this area of operation? What name did he apply to this area? He said you were going down where?

A. Operation Pinkville. Now, that I don't recollect whether it was called Operation Pinkville or not. I believe it was.

Q. When you used the term "Pinkville," where do you envision this to be?

A. It's the one right along the border on the 1:50,000 map. It was designated in pink as being a built-up area at one time.

Q. Was this all you referred to as Pinkville.

A. That area, yes, sir. Well, that area surrounding it. Not per se the little block diagram that shows on the map, but the surrounding. Anytime you go below that river.

Q. So anytime you go below the river, what?

A. Well, that area we know was under South Vietnamese control, and we had to have permission to go across the river, and we got permission to go across the river again. We got to go across everytime and anytime we wanted to, from what I understand.

Q. This area that you landed in on your combat assault, your landing zone, did you consider that area Pinkville.

A. Yes, sir, because it was right in that graveyard right there beside Pinkville.

Q. Was there any mention made during this briefing of prisoners? What was to be done with them other than normal procedure?

A. No, sir. Captain MICHLES in my company did not believe in killing people. I mean down-right, out-right killing. To me, he was a quite scrupulous man.

Q. Captain MICHLES you mean?

A. Yes, sir.

Q. Was there any mention about the inhabitants of the area down there?

A. Yes, sir. They were VC sympathizers.

Q. When he said "clean the place out," was he talking about the noncombatant inhabitants?

A. I don't believe he was talking about them, no, sir. We did anticipate getting some return fire. However, when we hit the LZ, it was cold.

Q. Do you recall whether he said to burn the villages?

A. I don't recall it, but I'd say he might have.

Q. What about--

A. (Interposing) Because we had, we had burned many villages previously.

Q. Where?

A. In that area. In fact, a village north of My Lai we had burned probably 2 weeks before.

Q. What about food stocks? Any mention of food stocks?

A. No, sir.

Q. What is the normal procedure in the Pinkville complex concerning food stocks?

A. Sir, Pinkville is nothing. There is nothing there. When I was there there were no inhabitants whatsoever, no animals, no noncombatants, or anything in Pinkville itself.

Q. What about these outer areas?

A. The outer areas, yes, sir. That's where to me the VC sympathizers lived, but we did not kill the stock.

Q. There was no mention of this?

A. No, sir, there was not.

Q. What did you understand the enemy situation to be there?

A. Everything in that area was VC or VC sympathizers.

Q. Who said this?

A. Captain MICHLES, and that was quoted from Colonel BARKER also.

Q. Did you hear Colonel BARKER brief?

A. No, sir, I didn't. That was at LZ Dottie.

Q. How do you know that was quoted from Colonel BARKER?

A. That's what--in fact, I can remember Captain MICHLES saying that was a quote from Colonel BARKER to Captain MICHLES who relayed it to us.

Q. And what was that quote again?



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A. That everything down there was VC or VC sympathizers.

Q. Did Captain MICHLES at anytime say anything about killing everybody in that area?

A. I don't recall that, sir. Captain MICHLES, I don't believe would say that.

Q. Could he have passed that meaning on in his briefing?

A. I don't think so, sir. I was with Captain MICHLES 24 hours a day, and after he got back from the briefing I'm sure I was with him.

Q. We have testimony that Captain MICHLES told these people to burn some of the villages?

A. Right, I said to burn, but not to kill the women.

Q. You did hear him say to burn the villages?

A. Yes, sir, I did hear him say that.

Q. And to kill the livestock. We have testimony to that--

A. (Interposing) No, I don't agree with that, sir.

Q. You didn't hear him say that?

A. I don't agree with that. No, sir.

Q. Did you see any livestock being killed?

A. No, sir, I did not.

Q. If you will again describe the operation briefly; and I'll probably ask you to prepare a photo depicting the tactical operations that took place down there.

You said that the 1st Platoon had a definite mission, and the 2d Platoon had a mission and the 3d Platoon stayed with you and the CP group.

A. Right, sir.

Q. So, in fact, the company split in three different groups?

A. Well, I'd say two. The 2d Platoon was on the north, and the CP and the 3d Platoon this way, and the 1st Platoon went across the river.

Q. Across the river? What was their mission over there? Do you know what the 1st Platoon was supposed to do?

A. Sir, I can't recollect what their mission was. I just know it was to go over there, whether it was to set up blocking for the rear for us, because we did anticipate a battle. That is the only thing I can figure out why they went over there. I know that we were supposed to sweep toward the 1/20 and the 1/20 was suppose to close in. And, if I remember, I believe the South Vietnamese were to the south of us. Now that I don't know. I know there was one operation where that did happen. I don't remember if that was the time that the South Vietnamese had a force below us or not.

Q. Maybe I better give you a little description of this operation so you can be sure we are talking about the same operation.

(The witness was oriented as to the operation on Exhibit MAP-4.)

Would you describe to me who was normally with the CP group or who was with the CP group that morning?

A. Yes, sir. It would be Captain MICHLES, myself, SP5 SWEENEY, E-5 HONEYCUTT, my recon sergeant, and PFC--

Q. (Interposing) Wait a minute. SWEENEY was what?

A. He was the medic, sir.

Q. And the next one?

A. Sergeant HONEYCUTT. He was my recon sergeant and my RTO, PFC FRENCH.

Q. Okay.

A. And I don't know if he had two or three RTO's that day. Sergeant CONGLETON was one, and he had another one.

I'm sure you could tell me more than I could. I know he had another one.

Q. Before you leave, I'm going to ask Major THOMAS to give you a list of the company and especially the CP group and see if you can fill out that form there as to who was who.

A. I know those people were with us.

Q. Now, what was normally the disposition of the mortar platoon on a combat assault like this?

A. To stay with the CP group.

Q. To stay with the CP group?

A. Yes, sir.

Q. With one mortar?

A. Yes, sir. However, on this operation I'm sure they didn't have a mortar. And if they did, they didn't have a mortar platoon leader, because he was the one that was killed, Lieutenant COCHRAN. He had subbed as the 2d Platoon leader when he was killed. They didn't have a mortar platoon leader that day. Lieutenant COCHRAN was the mortar platoon leader.

Q. Are you sure of that?

A. Yes, sir. I am positive of that.

Q. Are you telling me that Lieutenant COCHRAN went into this operation as the mortar platoon leader?

A. No, sir. He went in as the 2d Platoon leader, because I believe ROSS was wounded a couple of weeks prior.

Q. Is there any reason why the platoon sergeant couldn't take that?

A. Yes, he did. I think he was an E-6. I can't think of his name right now.

Q. VANN?

A. Right, sir, VANN. I would say they probably did have the 81 millimeter with them. In fact, I am sure they did now.

Q. I would like to clarify this with you, I am not quite sure. What is the direction of flight from Uptight

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when you go into a combat assault like this and when there is going to be a prep by artillery?

A. I know for sure that we came from Uptight, and we swung to the south and came in from the south.

Q. Did you go up to the peninsula and go over the sea?

A. Yes, sir. We came down this way here (indicating on Exhibit MAP-4).

Q. You are pointing to a route going east over the South China Sea and south to 745770.

What was the reason of that particular flight plan?

A. Well, I presume for the artillery to come in.

Q. What is your estimate as to the time involved, from the time you took off until the time you landed?

A. Seven minutes at the most, maybe not that long.

Q. Do you recall that day having to make a go-around?

A. No, sir, I don't.

MR WALSH: Do you recall where the prep was to be fired and what kind it was?

A. I presume it was a normal 5-minute prep in the area where we lit. However, I cannot see any reason for it, because there is nothing there. But I do remember there were some artillery rounds fired into the area. Whether it was 5 minutes or not, I don't know. I have no concept in how long it was. If they did fire 5 minutes which is normal procedure or maybe they did--if they did go around I don't remember making a pass, but if we did then the artillery was late or we didn't have one.

Q. You don't recall?

A. No, sir, I don't.

Q. That is all that I have.

LTC NOLL: Who would have planned the artillery prep?

A. D/6/11 Artillery with four guns.

Q. At Uptight?

A. Yes, sir. I believe they had four guns up there.

COL WILSON: You mentioned something I wanted to clarify in my mind. There would be no reason for the prep since there was nothing there.

A. It was bare.

Q. You mean by that that the terrain itself was open terrain?

A. Right, the field we landed in was open.

Q. What would be the normal requirement for an artillery prep for a combat assault?

A. To get the people out of the area; that would be the reason right there. It was to get the people out of the area.

Q. What would be the normal reaction of the people in the area once the artillery preparation is fired?

A. Most of them would scatter. I'm not saying--because we've been in an area where they just went underground and came back up after we left.

Q. Had you ever heard that one reason for firing artillery was to possibly activate mines and booby traps?

A. It does do that.

Q. Is it effective?

A. Not effective at all. Not in my mind. Not at all.

Q. Do you know what, as far as procedure, although I take it you didn't get involved in this too much, whether an artillery prep was planned the day before--whether that would

be fired or cancelled depending on whether the landing zone was hot or cold?

A. No, sir, I don't recall that, but I do recall firing some VT. Now, that is more effective to clear mines and booby traps. After Lieutenant COCHRAN was killed, I do remember that. I called that in myself.

Q. You mean you had an artillery concentration come in after the combat assault?

A. Yes, sir.

Q. We want to get to that in a few minutes in a little more detail. Do you recall as you approached on your low-level approach to the landing zone, were your doorgunners firing?

A. They fired every time we went in.

Q. Do you recall whether you were in the first lift or the second lift?

A. I was always on the first lift.

Q. Did you go with the company commander?

A. Not always. I'd say on this one I did, yes, sir. On this one I did. I always, myself, went on the first lift, because if there was something that would happen I would be there to call in artillery.

Q. And you say the doorgunners were firing?

A. Yes, sir.

Q. You would have been in the lead aircraft?

A. Not necessarily the lead aircraft. No, sir, I wouldn't say that. I was in the first lift, but not the lead aircraft.

Q. Do you remember what your aircraft position was in relation to a vee?

A. No, sir, I cannot remember. I was in on so many of them that one didn't mean too much right then.

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Q. When you left the aircraft, was anybody firing?

A. I distinctly remembered a cold LZ, because I know we called back a cold LZ.

Q. Was anyone firing as they left the aircraft?

A. Not to my knowledge, sir.

Q. What about gunships? Did you see any gunships when you made the combat assault?

A. There are always gunships circling with the Huey's themselves.

Q. Did you see any gunship action?

A. No, sir, not in our area. Not that I can recall. They shot a couple of rockets going in but after we were in....

Q. You said not in your area. Did you see any gunship action in any other area?

A. No, sir.

MR WALSH: I just have one thing. You mentioned 27 May 1967 as the date you joined. How long were you with the outfit?

A. With B/4/3?

Q. Yes.

A. I went with Captain MICHLES to Molokai for--I can't remember the name of it now, I'm sure you do. We had beach landing on Molokai.

Q. This is before you left Hawaii?

A. Yes, sir. And I can't recall when that was. I believe it was August 10th when I was actually assigned with B/4/3. And when I went to Vietnam I wanted to go with Captain MICHLES. I was the senior FO, and I was supposed to go with A Company, but I went with Captain MICHLES. That is how I got to go with them. We had this operation on this beach landing, and that is when I got with Captain MICHLES. I stayed with

him until I got out, which was about a year later.

Q. Now, what was the significance of the date 27 May 1967?

A. That is the day I was assigned as an FO in Hawaii.

Q. Sometime in August you started working for B Company?

A. Yes, sir.

Q. And you stayed with him when they moved to Vietnam?

A. That's right.

Q. And you stayed with them how much longer after that? When did you leave them?

A. 23 May, I believe.

Q. 1968?

A. Yes, sir.

Q. Where did you go after that?

A. I went back to LZ Bronco to take an FDC course, and I got about halfway through, which was just a week, and they sent me to be XO at a 155-105 composite battery at LZ Liz. I stayed there for about a month, and then I took two 105's to LZ Dragon. From there I went to the field with some APC's for my two 105's to support operation, and I was more or less "hip shooting" with my 105's. I did that for about a month and then that thing broke up. Then I went as XO for Charlie Company, correction, Charlie Battery of 6/11; they were at LZ Center supporting the 196th. I was there for about a month, and I caught malaria so I went to Cam Ranh Bay for a month, and then went back and finished my tour as AXO, assistant executive officer, and FDO back on LZ Dragon for 2 months.

Q. When did you leave Vietnam?

A. November 30, 1968.

LTC NOLL: Going back to the prep, would it have been the liaison officer's job to plan the prep on the LZ?

A. Most affirmative. I had nothing whatsoever to do with any preps unless I was the liaison officer myself, but I never--in fact I didn't even need to know they had artillery at times, but 95 percent of the time we did get a prep.

COL WILSON: I'm going to get a large aerial photograph and we are going to work on trying to depict as best you can recall what happened on 16, 17, 18, 19 March 1968. After we have completed that, I am going to ask you to describe it for testimony.

A. Yes, sir.

(The witness annotated an aerial photograph, Exhibit P-168.)

COL WILSON: Captain BOATMAN, you have annotated an exhibit which I will introduce at this time as Exhibit P-179. And I will, before we complete this, ask you to sign it as prepared by memory.

The items or the events on the exhibit are numbered, and I will call off the number in which case I would like for you to describe as best you can what happened at this point.

To lead into this, Captain BOATMAN has shown a flight path from LZ Uptight extending southeast and turning due south over the South China Sea until it reached an area in the general vicinity of Co Lay (3) where it turns west and in the vicinity of Nui Ngang Mountain turns due north to a landing zone at what is annotated as number 1.

Will you describe what happened at the landing zone?

A. I don't recall which ship I was on when we landed. I was on the first lift, and there was a cold LZ at this time. We got off and made our normal perimeter as we always did waiting for the second load to come in. At that time, the 1st Platoon had deployed to the east over in the vicinity of My Khe (4) across the bridge. 2d Platoon and 3d Platoon and

CP and mortar platoon deployed north, the 2d Platoon going straight north, the CP going by the gate entering Pinkville and going to the northwest where we stopped to regroup. At that time the 2d Platoon was bunched up and Lieutenant COCHRAN had deployed over to assist to spread the platoon out when he--

Q. (Interposing) All right, the next item indicated is number 2. What happened at number 2?

A. Number 2 is where Lieutenant COCHRAN put his compass on a bush or a ledge of a ditch and apparently triggered a booby trap, and he was hit with extensive damages. At that time--

Q. (Interposing) What happened to the lieutenant? Was Lieutenant COCHRAN killed?

A. Not instantly. This was reported from Spec-5 SWEENEY and Sergeant HONEYCUTT who immediately ran over to assist.

Q. You described this as a booby trap?

A. Yes, sir.

Q. Where was the booby trap, on the ground?

A. Yes, sir.

Q. How do you think it was detonated? Do you think it was command detonated?

A. No, sir.

Q. Were any other people wounded with Lieutenant COCHRAN?

A. Not to my recollection. He was the only one that was hit.

Q. Do you recall the dustoff?

A. Yes, sir.

Q. What was the period of time between his wound and the dustoff?

A. I'd say approximately 15 minutes.

Q. What is your estimate as to the time of this incident?

A. Approximately 45 minutes after the initial landing on the LZ, 45 minutes to a half an hour or an hour.

Q. Do you have your radio and your RTO close enough to monitor the traffic?

A. Sir, I was walking with Captain MICHLES. My radio is monitored to the artillery command--to the artillery fire direction net.

Q. In order to refresh you a little bit, I want to enter a couple of communications items which took place that morning. What is the exhibit number for the transcript of the communications tape?

RCDR: It's M-20.

COL WILSON: Exhibit M-20 is a transcript of a tape recording of some communications on this operation. The sending party on this first entry is Dolphin Lead. Dolphin Lead is the lift ship?

A. Yes, sir.

Q. The lead lift ship?

A. That's right.

Q. Dolphin Lead says:

"I had to make a go-around because the artillery was still shooting while I was on my approach and didn't want to land in there when it was going."

This was transmitted to Coyote 6. Coyote 6 was Colonel BARKER. There was a series of transmissions, and Coyote 6 marked the landing zone. Dolphin Lead rogered the identity of the marker. Do you recall any of this communication or any of this activity?

A. No, sir, I don't.

Q. Later on in the transcript Dolphin Lead transmitted and I quote:

"This is Dolphin Lead. This completes your lift for this morning. We had only one problem and that was that the artillery didn't get shut off in time."

Coyote 6 responded:

"This is Coyote 6. That's affirmative. They were about a minute late cutting off."

If you had made a go-around, would you have known it?

A. I certainly would have known it.

Q. You would have remembered it?

A. I should have. I would have known if I could remember it. Sir, what unit went in first? What platoon went in first?

Q. I don't know right offhand. I would estimate it to be the 1st Platoon.

This transmission, using the same exhibit, was from Coyote 65, which is net control station, to Lobo 65, which is net control for 4/3, 11th Brigade. This transmission from Coyote 65 states:

"This is 65. Request a dustoff. Over."

Lobo 65 responded:

"This is Lobo 65. Roger. Send it. Over."

Coyote 65 then transmitted:

"Pickup point 7198307 (sic). Requestor Coyote Alpha L. Number of patients, two, litter, U.S. Nature of injuries, unknown. Wounded by booby trap. Category urgent. Condition of pickup site unknown. Will secure."

We estimate that this transmission was around 8:45.

A. Sir, you said Alpha 6. Do you mean Bravo 6?

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Q. This is what is indicated on the log, and it could be that this was an A Company request. You may be right. It's a good point because the transmission indicates that the requestor was Coyote Alpha 6, so this may have been his casualty.

(After examining Exhibit M-16) Captain BOATMAN, you are apparently correct. This is indicated on the log as an A Company request.

Further along in the transcript there appears to be a question about using 81 mortars. A transmission from Shark 6 Alpha is as follows:

"Bravo 6. Shark 6 Alpha. Were you trying to contact me?"

There is no response to this transmission. Coyote 6 then transmitted:

"6. Coyote 6. Over."

And again:

"Coyote 6. Where do you want to fire the mortars? Over."

Coyote 6 says:

"Wait. Out."

There is no responding transmission, and the next transmission referring to this is:

"Coyote 6. You have permission to fire the mortars in that area. Over."

Do you recall that morning a request being made from the 1st Platoon for gunship support?

A. I think they did, sir.

Q. We have testimony that indicates that mortar fire was provided in lieu of gunship support. Do you know about this?

(Witness shakes head in the negative.)

Was it normal to request mortar fire or why wasn't

artillery fire requested?

A. I don't know.

Q. Is there any reason that you can think of for that particular engagement that the 1st Platoon was in to first request gunship support and then mortar fire and not artillery?

A. No, sir, I cannot.

Q. You may remember this and you may not. We have further testimony which says that there were four rounds fired and four duds. Do you recall the mortar platoon firing dud rounds any time?

A. At any time?

Q. Yes.

A. Yes, sir.

Q. Do you recall it on this operation?

A. No, sir.

Q. Would you recall it if you had heard about it?

A. Well, sir, if they fired them I should have known about it because I was with that element at all times.

Q. All right. Further along Coyote 6 transmitted:

"Coyote 6. Roger. If you're putting mortar fire in, you probably won't need Shark 6. Has the dustoff picked up your men yet?"

A. I believe that testimony is correct. I think they may have fired some mortar rounds.

Q. What makes you think that?



A. Just by thinking about it, looking on the map, and recalling. I believe that is one of the reasons we stayed in that area. We stayed in that area for quite a while.

Q. Here is another series of transmissions here that may shed a little light. Coyote 6 is talking to Sane Drank Delta Mike, one of the swift boats, and the swift boat asks:

"This is Delta Mike. Do you have anybody firing

a mortar here on the beach? Over."

Coyote 6 responded:

"We have a mortar down in the beach area. He's going to fire. I don't think he's fired yet."

Delta Mike swift boat responded:

"I spotted two rounds, looks like maybe 60 Mike-Mike in the vicinity of coordinate 742785. Over."

Coyote 6 responded that he would check it out, then transmitted to an unknown party:

"Have you begun to fire your mortars yet?"

And the unknown party responded:

"Roger. Did the dustoff come in yet? Over."

And Delta Mike, the swift boat, said he copied that transmission.

Do you recall the swift boat communications that morning?

A. Yes, I know we had them. I know we had the swift boats.

Q. Did you hear any of the communications with them?

A. Yes, but I wouldn't remember anything that was, said.

Q. And somewhere around 9 o'clock or between 9 and 9:30 Coyote transmits to an unknown party:

"Three wounded in hostile action down here. Is that correct?"

And then he apparently didn't hear them, and he said:

"Say again. Then change batteries."

And Coyote 6 says:

"I can come in and pick them up if you'll pop smoke for us and secure a place for us."

A. And that is about what I heard.

Q. Coyote 6 says:

"Have the wounded sitting there."

Coyote 65 asks:

"Are you going into Bravo's area to pick up wounded?"

Coyote 6 says:

"That's affirmative."

And 65 says:

"We requested dustoff. Just wanted to cancel it out."

So, apparently Coyote 6 picked up three wounded hostile action. I don't know which three those would be.

A. I think that the dustoff did pick up Lieutenant COCHRAN; that is my opinion.

MR WALSH: You said a minute ago, captain, that you stayed with the mortar platoon.

A. The mortar platoon stayed with the CP.

Q. Well, we have some indication that the mortar platoon after touching down on the landing zone set up here with the idea of providing support to the 1st Platoon crossing over; that is, set up somewhere south of the road near the landing zone and stayed there for a considerable period of time. Now, assuming that to be true, would that have been your location?

A. No, sir.

Q. You didn't stay with the mortar platoon if they set up there by the landing zone? You would have moved away with the company?

A. You are correct there. I just know where I was at. I'm positive I know where I was at. Whether I was with the 3d Platoon or mortar platoon--the mortar platoon may have gone up and set up.

Q. You don't have any recollection?

A. No, sir.

Q. Neither do you have any recollection of them firing?

A. No, sir, but I do remember now, I think they did set up. At where, I thought it was with us, but it could have been--

Q. (Interposing) One explanation of why you might not have heard the firing is that they may have set up and you moved on with the command group in another direction.

A. Yes, sir. Like I say, I did not listen to every message that came into the company. I was with them. Most of the major things, I knew what was going on. But this I don't remember.

Q. That's all that I have up to this point.

COL WILSON: How about point 2 where Lieutenant COCHRAN was wounded. Do you have any questions on that?

MR WALSH: No.

COL WILSON: As I understand, Lieutenant COCHRAN was killed in action. Was he dead when he was dusted off?

A. The indication that was told to me by SP5 SWEENEY was that he was not dead, but he did not see how he could live.

Q. We have point number 3 as four men wounded in action only a short distance from where Lieutenant COCHRAN was killed. What happened at that point?

A. Sir, four EM may not have been the correct number; it may have been more, not less, but more. And I recollect Lieutenant COCHRAN went over there to spread them out, and when he was hit they went back to help. That is when somebody else triggered another booby trap apparently.

I believe it was one; it might have been two booby traps. I know it was not far from me. I was not far from Lieutenant COCHRAN at all, and I did see the smoke go up before the other ones were hit. However, there were trees in the way, and I didn't see who it was. And I didn't go over there to where the dustoff was performed.

Q. At that same point you also pointed out that you requested and received an artillery concentration.

A. Sir, I believe that artillery concentration was a little later. Captain MICHLES asked me to call in some VT to see if we could pick up any booby traps and clear the area. And if I remember, we did hit one booby trap; one other explosion went off other than the VT fuses. I know it was less than 10. It was anywhere from 5 to 10 rounds that were fired in that area.

Q. Where the casualties were?

A. No. I'd say a little further to the east.

Q. For the purpose of trying to detonate booby traps?

A. Yes, sir.

Q. The location where the artillery concentration was fired was point 4.

Now, at point 5 we show the 1st Platoon of the company moving off toward the sea. Could you describe what happened there as to their route and approximately the timing as to when they left?

A. I believe as soon as the whole unit arrived, Captain MICHLES did then deploy the 1st Platoon to the area designated as number 6. And again to my recollection, I believe they took the road as that was our normal means of transportation, via the road instead of off the road.

Q. That road you are referring to would be an extension of 521 going toward the sea?

A. Yes, sir.

Q. Now, do you have any information regarding their action?

A. No, sir. Except that I know they did have some sniper fire. I remember that coming back to the CP. But I don't recall them wanting another platoon deployed to help them.

Q. You don't recall them asking for any supporting fire?

A. No, sir, I can't recall that. I do know they had some action over there.

MR WALSH: Do you remember anything about their transmissions with respect to VC that they killed over there?

A. All I can remember is the number 29. It seems that they--we got credit for 29 VC killed. I can remember that.

Q. Do you remember any conversation, any questions that MICHLES put to them with respect to that?

A. No, sir.

Q. Anything more about the action?

A. I can't recall any, sir.

COL WILSON: Point 6 is where 1st Platoon reported 29 VC KIA. Is that as much as you remember about the 1st Platoon's action there at the bridge?

A. Yes, sir.

Q. The next entry is point 7, which shows the night defensive position for the 16th of March where you have indicated two possibilities: one, which you believe--

A. (Interposing) My Lai (5), sir.

Q. Was My Lai (5). And the other is in broken line which you indicate could possibly have been the laager position. So, you are not sure about these two positions?

A. I know that the CP was located at one of those points.

Q. Would you describe what happened at that location and what time you think you got there?

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Q. By the time B Company got there the man, who you say was TAYLOR, who was wounded, was evacuated?

A. Yes, sir.

Q. How long do you estimate it took you to get from the laager area to the bridge?

A. Maybe 45 minutes.

Q. Go ahead.

Q. And when we got to the bridge, we went across, and we saw where the booby trap did go off. At that time we linked up with Lieutenant WILLINGHAM, and we stayed in that area for a little while. How long, I can't recall. Then we headed south with, I thought, the 1st Platoon along the river. It could have been the 2d Platoon. And the CP and another platoon after the 3rd Platoon was already deployed down ahead of us. We went on down, and there was some burning of villages. We ate dinner. I remember eating dinner in this area and then coming--

Q. (Interposing) You point to an area between Co Lay (1) and Co Lay (2)?

A. Yes, sir, somewhere along in there.

Q. You ate there and then continued to move south?

A. Yes, to the end of the peninsula, and then we came back. Where we laagered at that time, I do not know.

Q. You don't remember the laager?

A. I don't remember the laager position that night, sir.

Q. Do you recall if any of the villages down there were not burned or if they were all burned?

A. Sir, I know we didn't burn them all, because Captain MICHLES wanted to get back. We burned some and left some.

Q. Do you recall if there were any Vietnamese down there in that area?



A. They were scattered. There were a few, very few. In fact, there wasn't any population at all.

Q. Did the village appear to be inhabited at all?

A. It looked as though they had left.

Q. How long ago?

A. Now that is debatable. I can't say.

Q. You can usually go into a village and say this village has not been occupied.

A. Oh, no. I'd say it wasn't more than 2 hours or 10 hours.

Q. They were inhabited villages?

A. But very few people lived there and just like all other villages, they were all women and young children. There was no young males there.

Q. Did you say that you saw some bodies up around the bridge?

A. Sir, I saw one body.

Q. At the bridge?

A. In the vicinity of the bridge, yes, sir.

Q. Was it a male?

A. Yes, it was a male.

Q. Did anybody say who it was or what the circumstances were?

A. Well, they said there were 29 of them.

Q. If there were 29 bodies, where were they?

A. Sir, I don't know. I didn't see but the one, sir. Like Lieutenant WILLINGHAM said, they were drug off during the night.

Q. In other words, the bodies were left where they were by the 1st Platoon, and somebody pulled them away that night. Is that what Lieutenant WILLINGHAM said?

A. That is what I--it seems to me like that is what he said. They were freshly--or they were dug deep. They gave them graves. Like I say, I only saw the one body.

Q. Now, you said that when you moved south from the bridge that morning, that B Company sent the 3d Platoon south first?

A. To my recollection, because I remember talking to Lieutenant CARTER down here. I remember talking to him down at this end.

Q. You are pointing to the extreme southern point?

A. Yes, sir.

Q. You talked to CARTER down there?

A. Yes, because Captain MICHLES was pushing him down there.

Q. CARTER?

A. I remember he was not going in the right place or something.

Q. CARTER was in the hospital.

A. On this day?

Q. Well, I think what's happening is you are confusing operations and I'm not so sure--did you ever go this far south on any operation before?

A. I remember going down here. Before this testimony started, I said I remember going down here, and whether it was this operation or not, I don't recall. I don't remember whether we went down there or not. Apparently we didn't because I remember talking to Lieutenant CARTER at one time down in this area.

Q. Are you saying that you went along this spit of land there more than once?

A.           Apparently, we had.  Either that or we didn't go down there that time.  Once before I remember telling SP5 SWEENEY what a hell of a way to spend St. Pat's Day.

Q.           That was going south?

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Q. What I am asking is, without regard to whether that is the specific individual, was there a National Policeman there who had a pronounced scar on his face?

A. Yes, sir.

COL WILSON: With reference to P-148, the individual who you identified as being the person at the laager area, have you seen him since that time?

A. He may have been one of the individuals that was with us when we picked up some suspects the day we were being extracted.

Q. On the same operation?

A. Yes.

Q. Had you seen him before?

A. No, sir.

MR WALSH: When you came over on the morning of the 17th and you crossed the bridge, I think you stated, but I'm not sure it's on the record, that a member of the 1st Platoon who had been moving down toward the bridge from the night laager position had encountered a booby trap and blown his foot off.

A. Well, sir, that was on the bridge when he was going to secure it for the rest of the company to move across the bridge.

Q. It happened on the bridge?

A. Yes, sir. Well, it happened on the edge of the bridge, on the east side of the bridge.

Q. And I think you also said that he had been dusted off before the company or the company CP had crossed over the bridge and gotten there?

A. Yes, sir.

Q. What time of the day would it have been that you would have crossed the bridge?

A. I'd say from 8:30 to 9:30.

Q. And do you recall what the mortar platoon did? Did they set up in that area?

A. They set right up across the bridge supporting us when we walked down and walked back.

Q. You didn't stay with the mortar platoon that day?

A. No, sir. We went on down.

Q. You also indicated there was no village or settlement immediately opposite the bridge.

A. It had been fully destroyed.

Q. How far down did you have to walk from the bridge before you encountered any inhabited villages?

A. I would say it was on down a ways. There were some villages maybe 1,000 meters down, but I don't recall any inhabitants in that village. And then on down about half way to the end, that is where we encountered a few inhabitants.

Q. Now, did you see any bodies during the period of time you were walking down?

A. No, sir. None.

Q. Did you ask anybody where were the bodies of the 30 people killed the previous day?

A. I myself didn't ask, but I wondered. Like I say, I saw one. And that is where I can recall Lieutenant WILLINGHAM saying, I think, they came and drug them off that night or they dug some shallow graves.

Q. Now, can you remember when you stopped for chow whether you did so in an inhabited area?

A. I don't know who it was, whether it was SWEENEY or my recon sergeant, cooked up some chickens and rice. I had a bite of it; I didn't eat very much.

Q. Do you remember seeing the photographer around?

A. He was not with us. He was with one of the other platoons, and I believe he was with the platoon that walked down this side close to the ocean.

COL WILSON: You are referring to the east side?

A. Yes, sir.

MR WALSH: And you think that it was the 1st Platoon?

A. I thought it was the 1st Platoon.

Q. Now, did you observe any interrogations of any of the citizens, civilians, around any of those hamlets that you came through?

A. I did not.

Q. Were you with the CP group all of the time?

A. Yes, sir.

Q. Do you remember any of the platoons receiving any sniper fire?

A. No, I don't, sir. I believe there was an engagement on this side.

COL WILSON: On the east side?

A. Yes, sir. But I can't remember the disposition or where I was at the time.

MR WALSH: Did anybody call for any supporting fire?

A. No, sir.

Q. Did you see any dead or wounded civilians?

A. No, sir, I did not.

Q. Do you recall a Vietnamese woman who had been shot in the head and in the foot?

A. No, sir.

Q. Being brought to the bridge and a dustoff requested?

A. No, sir.

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Q. Did you either see or hear about any of the soldiers raping anybody in any of those hootches?

A. Sir, I can go on record now, I don't believe that anybody through the period of 16 to 19 March 1968 from B Company raped or--

Q. (Interposing) At least you didn't hear about it?

A. No, sir, and I was a pretty good friend with most of the people. I know there was one case where there could have been a rape, but it was not on this operation. It was another operation.

Q. I want you to think hard and see if there is anything you can remember about the group you were with, the CP group, or any of the platoons being stationed in any of these villages or hamlets for any prolonged period of time to search them and to interrogate the people. In other words, as you were moving down, is it your recollection that the entire company kept moving the entire day or were there periods during the day when one platoon or more would halt in an area in order to thoroughly search a village and to check for booby traps, weapons, or other things?

A. Sir, I'll go on record by saying that the mortar platoon stayed in this location, but it was uninhabited.

Q. Right.

A. I think the 3d Platoon went down in this area ahead of us, and there were inhabitants down there.

Q. Indicating the area down toward the river at the far end of the peninsula?

A. Yes, sir. They were ahead of us. I remember the platoon I was with--the CP group and it was either the 2d or 3d Platoon that was with us--this is the area that we did search, and there was some burning of villages.

COL WILSON: You are pointing to an area in the vicinity of Co Lay (2)?

A. Yes, sir.

MR WALSH: Now, when that operation was going forward, what



did the CP group do, just sit down and take it easy while they were going through the village?

A. About 90 per cent of the time that is all I would do. I would just sit on my ass.

Q. After the village was thoroughly searched and the hootches burned, then you got the word to move out?

A. Yes, sir.

Q. Can you recall how many distinct hamlets or villages that you may have passed through and searched?

A. No, sir.

Q. More than one?

A. Yes, sir.

Q. And throughout all of this time, did you hear any firing?

A. No, sir, I didn't. I can't recall any firing, not on even on this side where they had this reported sniper, fire. I didn't hear it.

Q. How many civilians were in these hamlets you went through?

A. There were very few, perhaps 25.

Q. Were these sent to a collection point?

A. No, sir. I don't recall one like we used to. I know we have and we did afterwards. We did get them in a big collection point here that I saw.

Q. Were there any interrogations of those people going on at all by anybody?

A. No, sir. I don't recall an interrogator being with us. I do remember an interrogator being up here.

COL WILSON: You are pointing to an area around Ky Xuyen?

A. Well, when we had a MEDCAP, of course we had interrogators, but down in this area I do not recollect any interrogators being with us.

MR WALSH: All told, you encountered no more than 25 people

going down there all that day or does that 25 indicate the most you saw at one time?

A. There were no more than 25 all the way down that I encountered--and back. I saw very few civilians that day, very few, in this area here.

Q. What would be your best guess as to the total number of civilians that you saw that day?

A. I'll say 25.

Q. Did you see any of the wounded?

A. No, sir, I didn't.

Q. Captain, in your earlier testimony, you indicated that the time you were in the laager area on the night of the 16th and you met with Lieutenant ALAUX, he told you a little bit about what he had seen that day. I wonder if you could tell us what he said to you at that time.

A. That's when he said a lot of animals were killed, and he did see some women and children--I don't know whether he saw them per se--Americans shooting them. He said that he had seen some women and children dead and a lot of animals, and that is about all.

Q. Was he pretty upset about it?

A. Yes, sir, I think he was. I think he was.

Q. What lead you to believe he was upset about it?

A. By the way he acted. He is a pretty easy going guy and a good friend of mine. I had been with him for quite a while, and I could tell he was upset about this.

Q. Did he indicate he was upset with any particular individual?

A. No, I can't recall that. Like I said, I didn't know anybody from the 3/1. I knew Lieutenant CALLEY, not on a first name basis, but I knew of him. But I had never been around him.

Q. I would like you to think back and give us just as specifically as you can what Lieutenant ALAUX said to you

in as much detail as you can.

A. He just said he had seen a lot of animals and he had seen women and children that were killed. Like I say, I can't recall whether he said he saw them himself. I don't know this. I just know that he said that he had seen some women and children dead.

Q. Did he indicate how they were killed, artillery fire, gunships, or infantry?

A. I think he indicated it was done by the infantry.

Q. Do you remember anything more about what he saw or said?

A. Names, no.

Q. I'm not asking for names.

A. Unit, no; but I do know there was some, I guess, indiscriminate killing.

Q. Did he tell you anything about lining people up by a ditch and shooting them?

A. No, sir. He didn't say that at all. He didn't say it to me.

Q. Did he give you any indication that the people were rounded up and gunned down?

A. No, sir.

Q. Did he give you any indication of how many people he had seen killed that day?

A. I do remember him saying something, the number 60. It was something around 60 that they thought they had killed. I didn't see any bodies myself.

Q. Was he talking about women and children?

A. I presume that that was included.

Q. Well, if you can think of anything more of your conversation with Lieutenant ALAUX, I would like to hear it.

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Q. You are pointing to the map and saying that you stopped at Ky Xuyen?

A. Yes, sir.

Q. And that the platoon sent up to bring the people back down there was sent to An Khe.

A. Yes, sir.

Q. And how many people did they bring back?

A. Sir, it was a lot. Anywhere from 250 to 750. I don't know the exact number because they came in a couple of big bunches.

Q. Which platoon was that?

A. That is what I say, I believe it was the 3d Platoon, but I don't know for sure.

Q. What time did the MEDCAP come in?

A. It was--seems to me like it was in the afternoon, and they were just there for quite a while.

Q. Did you or do you recall any actions by C Company, or seeing C Company depart the area, or anything like that?

A. I don't know where C Company was at at that time. I have no idea where they were at at that time.

Q. How did the MEDCAP come in?

A. By chopper.

Q. Where did they land?

A. I believe the same place where we laagered that night.

Q. Did they land on the beach?

A. Yes, sir.

Q. How many choppers did it take to bring in the MEDCAP?

A. I can't recall offhand.

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- Q. How many people were on the MEDCAP?
- A. I know--I remember SWEENEY helping them. There could not have been over four or five.
- Q. Did the whole company manage to assist?
- A. Yes, sir, they always do.
- Q. How many people do you estimate the MEDCAP processed?
- A. At least 500; at least that many. It was the biggest biggest one I have ever seen.
- Q. Did you see a larger one later?
- A. No, sir.
- Q. This is the largest MEDCAP you saw in Vietnam?
- A. Yes.
- Q. How many MEDCAP's did you see?
- A. A dozen.
- Q. Was this planned or spontaneous?
- A. I think it was spontaneous.
- Q. Why was the MEDCAP called for?
- A. Like I said, there were scraggy kids in the area.
- Q. Was it requested from B Company?
- A. I think Captain MICHLES requested it, yes, sir.
- Q. And they processed 500 people that afternoon?
- A. Approximately that many, yes, sir. There was a lot of them. I believe there were a couple of lines, and I do remember some ARVN soldiers being there.
- Q. Some what?

- A. Some ARVN soldiers.
- Q. Where were they from?
- A. I don't know.
- Q. How did they get there?
- A. I don't know.
- Q. How many are you talking about?
- A. A platoon, if that many.
- Q. Where could they have come from?
- A. I don't know. I just remember some ARVN soldiers being there that afternoon. It may not have been that many.
- Q. Do you recall any Navy actions this day?
- A. No.
- Q. When did the Navy turn a bunch of civilians over to B Company? Do you recall that happening any time during this operation?
- A. Yes, sir, I remember, but I don't know what day it was. It was either the 17th or the 18th.
- Q. But you do remember a large number of civilians being turned over?
- A. No, not a large number, no, sir.
- Q. How many are you talking about?
- A. Not over 15 or 20. I don't think that it was a large number.
- Q. Who were they given to?
- A. I believe they were pushed ashore, and one of the platoons picked them up, and I don't know which one it was. It was somewhere up in this area here.
- Q. What happened to them?
- A. I don't know the disposition, sir. They were

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civilians, and I didn't think there were any VC out here. They were very receptive to our MEDCAP.

Q. You didn't think there were any out here?

A. No, I thought it was a very friendly village.

Q. You mean after you got in there?

A. Yes, sir.

Q. What about before you went in there?

A. I can't recall anybody being hostile toward us. That is what I'd say, at that time. Then that night I got a different light when we got mortared.

Q. The MEDCAP was conducted that afternoon, and you observed nothing unusual happening that day?

A. I stayed in and read a book inside a hootch all afternoon.

Q. Did you hear any fire anywhere?

A. No, sir.

Q. Was the entire company up there at that time?

A. I know that there was a company to the south and a company to the north. I don't know where everybody was for sure. I don't know if we had any companies out patrolling or not, sir.

LTC NOLL: Companies or platoons?

A. Platoons.

COL WILSON: What time did the MEDCAP leave?

A. 4 o'clock or 4:30.

Q. What happened after that?

A. That is when we went to our laager position, and

I called in my defensive targets.

Q. What time was that?

A. Around 5 o'clock, 5:30.

Q. And then what happened after that?

A. Later on they brought in a woman who apparently was hit by my artillery shell, and we called in a dustoff. And that is probably one of the low points in my life because I didn't aim to do that, and I did report it.

Q. You are referring to your night defensive artillery targets which were fired on 18 March, and this is our point 10 on the exhibit?

A. Yes, sir.

Q. And at one of these locations you believe there was a Vietnamese woman injured or wounded, and you stated that she was brought into--

A. (Interposing) Our CP location.

Q. Company CP location?

A. Yes, sir.

Q. And she was medevac'd from the CP location?

A. Yes, sir.

Q. What makes you think your artillery did this?

A. They designated this (gesturing).

Q. A signal of incoming rounds?

A. That's right. And since we were the only ones-- it was fresh, and that is why I believe it was from my round.

Q. Where was the wounded woman picked up?

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A. Right along the beach. Right in our CP area.  
Right along the beach.

Q. Right along the area marked point 12 or the laager area?

A. Yes, sir. She was brought up from where we had the MEDCAP. We could see them carrying her up on a hand-made stretcher-type thing.

Q. Now, this, as far as I have been able to determine, would require an artillery incident investigation.

A. Well, I reported it to my XO. I said it looked like a woman was hit. And I reported it, but that is the last I heard of it.

Q. When did you report it?

A. When the woman came in.

Q. Your reported over your communication net?

A. Yes, it was to Lieutenant WRIGHT, who I believe was the FDO at that time.

Q. This was to your battery you reported it?

A. Yes, sir. Well, to Delta Battery.

Q. Up at Uptight?

A. Yes, sir.

Q. Were you ever asked any questions about any of the casualties on this particular operation at any time?

A. No, sir.

Q. After the woman was evacuated what happened?

A. Well, it was dark at that time. Waiting for the chopper to come in it was dark. I had my foxhole dug, and I went to sleep. Then I was awakened around 5 minutes till

2 or somewhere in that vicinity. Right around 2 o'clock. I don't know for sure. And I thought there was outgoing H&I's until somebody hollered incoming. At that time I rolled into my foxhole but I had to go call in the artillery. I called in the artillery, but by that time all of the mortar rounds had ceased.

Q. You said earlier there were about 20 or 25 incoming rounds, and they were 60 millimeter?

A. Yes, sir. They were positively identified as 60 millimeter rounds, and I say approximately 20 to 25.

Q. You also stated that MILUS was killed by this mortar attack?

A. Yes, sir, and several wounded.

Q. Were the wounded dusted off that night?

A. Yes, sir.

Q. Where was the pickup?

A. Right where the woman was picked up, right by the CP.

Q. And you fired countermortar fire?

A. Yes, sir, I did.

Q. You fired countermortar fire at point 13 which was one of the defensive targets fired?

A. Yes, sir, and there was indication through--you could tell that the rounds came from that area through crater analysis. Through crater analysis we knew the rounds came from that area.

Q. Was this crater analysis made prior to the request for countermortar fire?

A. No, sir. We had a report from the element in the 1st Platoon, I believe, that had seen the flashes. That is why we used that target. But the object was to get rounds

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out as fast as possible. And at that time I did bring the rounds in 50 meters closer, I believe.

LTC NOLL: Did you have defensive targets each night?

A. Yes, sir. However, sometimes they weren't all called in. Some were on call. Seventy-five per cent of the time they were called in.

Q. Did you say there was periodical fire during the night?

A. No, sir, not unless called for. Because they were very close. These are not over 300 to 400 meters away at the most.

COL WILSON: You stated that B Company was picked up the following morning at 0900?

A. It may have been later than that. I know it was before noon.

Q. Captain BOATMAN, would you say again how many VC KIA you remember being reported?

A. Twenty-nine is the number that I remember, sir.

Q. The study of the Americal Division TOC and the operation Muscatine SITREP and the Americal Division SITREP for the 16th indicates three reports of VC KIA from B Company, one, at 0955, reported some rifle fire, 12 KIA at 742787.

A. That would be at My Khe (4).

Q. In the vicinity of the brigade.

A. All of these people were reportedly killed by Lieutenant WILLINGHAM.

Q. All right. At 1025 reported killed by rifle, 18 at 742787, same location. At 1420 that afternoon, by rifle again, reported 8 KIA. This report changed the coordinates slightly to 742786. That is a total of 38 reported on the logs of the SITREP's, and all of those seem to be around the same area, but they vary in time from approximately 1000 to 1400 in the afternoon.

A. The figure 29 comes to my recollection maybe from

reading about it. I did know that Lieutenant WILLINGHAM killed some people over there, but I didn't know the exact number to be quite frank with you. It seems to me like I thought he got credit for 29. Now, we must have gotten credit for 38. I just thought there were 29.

Q. None of these people reportedly were killed by supporting fire.

A. Sir?

Q. By supporting fire. Do you recall Captain MICHLES reporting a body count figure that day?

A. Well, he didn't see them himself I know, because he didn't go over there.

Q. I know. Do you recall him reporting?

A. Yes, sir, I remember him making a report. But I didn't know the numbers and what times. I only remember Lieutenant WILLINGHAM saying an X number of people were KIA, VC KIA, but I didn't know the specific number.

Q. Did you hear Captain WILLINGHAM make a report that none of the people reported by his unit in VC body count were woman and children?

A. No, sir. No, sir, I did not.

MR WALSH: Do you remember Captain MICHLES getting a request any time during the day from higher headquarters for a breakdown of how many woman and children were included in the body count?

A. No, sir.

COL WILSON: Do you have any idea at all if there were any individual weapons captured on the 16th?

A. Three, maybe three.

Q. By B Company?

A. B Company, 1st Platoon.

Q. What happened to them?

A. I don't know, sir.

Q. How do you know they were captured?

A. That is the number that sticks in my head. There may not have been any, but it seems like three.

Q. Do you have any reason to say that it was the 1st Platoon?

A. It seems to me there were weapons captured that day.

Q. By B Company?

A. Yes, sir. There may not have been. I will say that it is very funny and ridiculous to say that they did kill so many VC when we didn't get that many weapons. It always seemed odd. I never saw the bodies they supposedly killed. To me it was an erroneous report. Because when I went over there, I saw only the one body. That is when I kind of doubted the validity of it, that they did kill X number of VC.

Q. There was a great effort over there for trophies. Now if an individual weapon captured is reported, is it a rigid requirement that that weapon be turned in?

A. Every weapon that I ever saw was turned in with the individual who got the weapon, with his name on it. But it was always turned in to higher headquarters.

Q. Did they ever get these weapons back?

A. Yes, sir. Before Captain MICHLES was killed, I know he had two.

Q. Did any troops get them back?

A. SWEENEY got one, and I don't know who all else had one.

Q. I am trying to find out if there were any attempts to sieze these weapons and not report them.

A. No, sir. I am sure that every weapon that was found in B Company was reported.

Q. No question in your mind?

A. No question in my mind.

MR WALSH: Were you the only one who had any doubt about the body count that WILLINGHAM's platoon reported?

A. I don't know. That is my personal opinion.

Q. Did you discuss it with anybody at the time?

A. No, sir.

Q. But you did say something to somebody about there being only one body there?

A. No, I can't recall saying anything to anybody. It just seems kind of funny to me.

Q. I think you used the term ridiculous a moment ago in describing allegedly killing 38 VC and finding no weapons.

A. Most affirmative. Right, and no bodies.

Q. But you didn't discuss your feelings with anybody at the time?

A. No, sir.

Q. And you didn't hear anybody else comment on it?

A. No, sir.

COL WILSON: I believe, and I am going back to the 16th--the Task Force Barker journal carries an entry at 9:55 that B/4/3 killed 12 VC. Now this would have been about the time that you all linked up with the 1st Platoon?

A. No, sir, not on the 16th.

Q. No, you're right. Later on at 10:25 there is a report of 18 VC KIA at the same location. Is there anything



that you can recall where there were two separate engagements at the same location a matter of maybe 30 minutes apart?

A. I just remembered there was an engagement about that time. About the two reports, no.

Like I say, this may have come to Captain MICHLES from Lieutenant WILLINGHAM when I was not with them. I may have been not by his radio at the time. I just remember having heard, it must have been 30 minutes--this number 29 sticks in my head. I don't remember the two or the eight that you also stated there. I just remember the 29.

LTC NOLL: Just one question, on the 16th when the 1st Platoon was over there by itself, who would have adjusted the artillery for them had they wanted support?

A. I would--oh, I'm sorry. It would have been whoever the FO was for the 1st Platoon. It may have been BRETENSTEIN. I think he was with the 1st Platoon.

Q. Was he the 81 or the artillery FO?

A. Artillery. Because I had given them many classes on it, and all of them did adjust for me at times. When we'd be in a central location I could show them how to do it. Normally, the way it would run--in fact we did this on two separate occasions where a platoon did receive sniper fire. They would call it in to Captain MICHLES, and then I would relay it to the guns and see that they were getting all of the artillery themselves.

Q. I want to show you a series of photographs here, and I would like you to look through these photographs, and I am going to ask you some questions after you have had a chance to look at them whether you can identify either the place or the people in the photographs.

(The witness perused the photographs.)

You don't remember anything on P-17?

A. I don't remember that at all.

Q. P-18? Who is the one American soldier in the

photograph?

A. I can't think of his name, but it seems to me, I know he was in the mortar platoon.

Q. Do you recognize the area?

A. It's a graveyard. Here's the graveyard. I don't know if that is Uptight back there or not.

Q. You say that is a graveyard?

A. You can see it.

Q. What about P-19?

A. No, sir, I don't remember any of those faces.

Q. P-20?

A. I know him and him (indicating).

Q. You are pointing to the man on the right rear. Who is that?

A. He is--if you can give me the roster, I can tell you the name of all of these people. I don't know if this guy's name is DUFF or not.

Q. You are back to photograph number 18.

A. HUFFMAN is his name for sure.

Q. That man, the U.S. type in photo P-18, is HUFFMAN?

A. Yes, sir. This is MARSHALL here (indicating).

Q. The man in P-20 right rear is MARSHALL. What platoon was he in?

A. He hopped around.

Q. And who else?

A. And this is JOHNSON again.

Q. The man in the rear with his helmet off is Lieutenant JOHNSON.

A. And this could be LOUGHMILLER; I'm not really sure.

Q. The man to the left front with the pole in his hands is who?

A. It could be LOUGHMILLER, but I don't know for sure.

Q. L-O-U-G-H-M-I-L-L-E-R?

A. Yes. And this could be my recon sergeant, HONEYCUTT.

Q. The man bending over in the front is recon Sergeant HONEYCUTT. Identified by the tattoo on his arm.

Back to P-20, if that is HONEYCUTT, would you be anywhere near there?

A. Probably.

Q. Do you recognize that location?

A. No, sir.

Q. The time of day?

A. No, sir. Unless it would be--JOHNSON was with us most of the time out here on the peninsula. It could be here at the chopper pad. But I don't remember JOHNSON being with us on this operation here.

Q. Well, he was.

A. He was with B Company?

Q. Yes. How about P-21?

A. Lieutenant JOHNSON, left rear.

Q. P-22?

A. Lieutenant JOHNSON and his interpreter.

Q. P-23?

A. Captain MICHLES.

Q. On the left is Captain MICHLES?

A. And his RTO.

Q. On the right is his RTO.

A. Freddy WILKINS or it could be that other one. I can't think of his name either.

Q. P-68?

A. I don't recognize anybody unless that is HONEYCUTT, but he never carried that much stuff with him. I just don't know who that is.

Q. All right, you can't locate any of these photographs?

A. No, sir, not the place.

COL WILSON: Captain, this is basically what you have stated as recalling on this operation. Will you please sign that as prepared from memory at Washington, D.C.?

(The witness signed Exhibit P-179 as requested.)

When you were withdrawn from the objective area, did you return to Uptight or Dottie?

A. I believe we returned to Dottie because if I remember right they lost all of those casualties, and we wanted to have a standdown. I believe; I'm not sure.

Q. You don't really recall?

A. No, I'm not really sure. We may have just gone to Uptight. It was one of the two places.

Q. Was there any changes in the type of operation that you conducted after this operation or did your operations

appear to be the same as always in Task Force Barker?

A. At the time I didn't see any significant changes, no, sir.

Q. Do you have any knowledge of any investigation or inquiries being made after the combat assault?

A. Yes, sir. I heard that they were checking into Captain MEDINA's company for allegedly shooting of civilians. I heard this just a couple of days or a day or so afterwards. In fact, Captain MICHLES told me that he could be in a lot of trouble. However, that is all that I heard, and it was 2 or 3 days later then that the thing came in where I read in either The Trident or the Americal newspaper where B/4/3 and C/1/20 should be congratulated for an outstanding job by General WESTMORELAND. This I read and, in fact, I probably still have the paper if I could dig deep enough in my stuff at home.

Q. And Captain MICHLES told you the day after the operation--a couple days after the operation that he thought Captain MEDINA was in trouble because of the civilians killed in the operation?

A. Yes, and the name--I didn't know it was THOMPSON at the time. They said that some warrant officer reported that he saw some people being killed.

Q. Did Captain MICHLES tell you that too.

A. I believe it was Captain MICHLES, yes, sir.

Q. Was there much talk about it?

A. Not that I can recall.

Q. Under what circumstances did you hear this from MICHLES?

A. Just back at CP or wherever we were at. In fact, I think it was on Dottie at that time.

Q. Do you recall the time frame?

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A. Probably Lieutenant WILLINGHAM. He and I were fairly close.

Q. He said there was an investigation?

A. I don't know if he said that or not. But I know Captain MICHLES told me.

Q. Did you ever hear of anybody being interviewed?

A. No, sir.

Q. On this operation or shortly after?

A. No, sir.

Q. Did you ever hear of any field grade officers or officers from task force headquarters, brigade headquarters, or division headquarters coming down and asking questions about this operation?

A. No, sir, I didn't know about that.

Q. Do you know if there was ever an artillery incident investigation on this operation?

A. I will say, no. There was none, although, it was reported. However, it is unlikely that it was even logged. But I did report it.

Q. Did you ever have an artillery incident investigation on any targets that you ever fired?

A. Sir, there was one artillery investigation, not on me, but on the FDO. I think it was before this. The XO apparently was off 100 mils and went over the target I was shooting at. In fact, it was the time--the second person that was killed in our unit.

LTC NOLL: PODABRADSKI?

A. When he was killed I had a defensive target, and the first round came in fine, and I remember the exact thing was, "Left, five zero; drop, five zero. Repeat." And the rounds come out and they went over 1,000 meters in the vicinity of A Company laagering on the other side of the river.

There was an artillery investigation on that, but it was not on me.

Q. Did you know Captain VAZQUEZ?

A. Yes, sir.

Q. Did you ever discuss this operation with him?

A. No, sir.

Q. Was there any statement ever made to you by VAZQUEZ or anyone about one of the spotter rounds fired in C Company's concentration being 1,000 meters off?

A. No, sir, they never did that.

Q. Do you think you would have heard about that?

A. No, not necessarily, no, sir.

MR WALSH: Captain, you heard a little bit about what happened in C Company's area from Lieutenant ALAUX, and you probably read a lot more in the papers since. Do you have any opinion as to why this thing might happen in the C Company area?

A. Why it happened?

Q. Yes, why it happened?

A. No, sir, I don't. I believe that some of the things are true that they said about C Company. My personal opinion is: so it happened; I still say the guy shouldn't be tried.

Q. Without regard to the results or any criminal outcome, it does seem pretty clear to us that a lot of people were killed, a lot of people were deliberately killed, and I just wonder if you can give us any insight into why on this particular operation something like that happened?

A. Just like I said before--I don't think I did say this before. Lieutenant ALAUX told me that Captain MEDINA said that they were to go down there, and everything that walked was VC. Apparently since they had lost a lot of men, they



went down there with a lot of hostility, and they took them out on My Lai (4). Whether the number of people killed is accurate, which I don't believe it is--like everything else I think it might have been blown up, but I imagine there were probably some innocent people getting killed. In fact, I'm sure my company killed some innocent people too.

LTC NOLL: In the interim, after this operation and in the time before Task Force Barker broke up, was B/4/3 ever detached back to its parent unit?

A. Yes, sir. The dates I don't know, but I believe we were detached two times, two different times.

Q. This was after the 16 March operation?

A. Yes, sir, I believe it was after that.

Q. Did they get anybody killed?

A. Yes, sir, we did get--I don't know the exact number--on an operation west of Quang Ngai along--it was at least 20 kilometers out in the jungle where we did that. I think we got a body count of nine. We were doing nothing but blocking.

Q. You have no idea of the relative time frame, whether it would have been 2 weeks or--

A. (Interposing) Whenever Lieutenant WALTERS was killed--was injured, I think, is one. I know that was one time. We were gone, I believe, anywhere from 7 to 10 days on that. And another time we made a CA where they initiated LZ Bluff. Colonel ADKINS called it LZ Bluff north of Quang Ngai. It was south of Sue about 4 or 5 kilometers.

COL WILSON: Captain BOATMAN, when you return to your unit and your home, if you have any documentary evidence that might help us with this investigation, we would appreciate having it. If you have any photographs, tape recordings, documents, or anything that may help us, we would appreciate getting them. We will copy it and send it back to you.

Other than the statement made to you by Captain

MICHLES, did you ever hear any rumors that civilians had been killed unnecessarily by either the B/4/3 or C/1/20?

A. Not by B Company. At no time did I hear any rumors stating that they did some indiscriminate killing. However, I say again, that I did hear about C/1/20.

Q. Were you ever told not to discuss possible unnecessary killing of civilians by Task Force Barker?

A. No, sir. In fact, one of the men I respected a lot was Major CALHOUN. I thought he was a fine officer, and he was very sincere, to me, in his job. He tried to do what was right. He hated to see anybody from our unit get killed, and he didn't believe in murder. Both him and Colonel BARKER were very fine officers, as far as I know.

Q. Do you know if there was any problems with marijuana in the unit?

A. Sir, one time when we were on LZ Uptight, and I don't remember the date, we had a man--where's the roster and I'll give you the name of the man who received the marijuana--JEFFERS who was stationed at Chu Lai, at base camp. I helped handle the mail, and anyway it had 1st Platoon on it. I guess JEFFERS had been in the 1st Platoon before he was wounded, and he stayed back at base camp to help resupply. And he sent it to the pointman of the 1st Platoon. Anyway Captain MICHLES confiscated it and found it was marijuana cigarettes.

Q. In an envelope?

A. Right, but BOGEAR--I mean DAHNER left the place unguarded, and apparently this guy came in and took the cigarettes away from him. And this is the only time that I can think of--

Q. (Interposing) Who was supposed to receive the cigarettes?

A. It had on it 1st Platoon. That is all that was written on it. HOOTON was one, I'm sure.

Q. One what?

A. Hooton was one of the people--in fact, I think it may have had point team. I think HOOTON was on the point team.

TITTLE, I believe his name was TITTLE.

Q. What did he do?

A. He was the point team. They were permanent point. They were kind of a rough bunch.

Q. What platoon was this?

A. The 1st Platoon. TITTLE, TAYLOR, HOOTON, and one other guy--there were four of them, and they volunteered to be permanent point. Then TAYLOR got hit, and TITTLE got ulcers, and I don't remember the other guys.

Q. You say TITTLE got ulcers?

A. Yes, sir. I may be wrong on this thing about JEFFERS; it could have been NEEDLE. NEEDLE was kind of--I didn't know him very well.

Q. That sent the cigarettes?

A. Yes, sir. I think it was JEFFERS though. I don't want to be quoted on it. It could have been NEEDLE. Both of them were in the rear. I can't remember the other permanent point man. I don't think I can recognize his name either.

Q. You mean after the cigarettes were confiscated they were again stolen?

A. Yes, sir.

Q. Did they find them?

A. No, sir. And we called TITTLE in and, of course, he denied it. I was in the CP tent when Captain MICHLES read him the Article 31. I can't recall the other member of the point team.

Q. Did you have any reason to believe that members of B Company were high on marijuana at the time of this operation?

A. No, sir, at no time.

Q. Did you have any reason to believe there was a serious problem with marijuana in B Company?

A. I don't think it was a serious problem. I don't believe it was.

Q. But these marijuana cigarettes were sent to the point element of the 1st Platoon?

A. Yes, sir.

Q. You mentioned BOGEAR's name.

A. I didn't mean to. I meant the first sergeant. DAHNER.

Q. And in mentioning First Sergeant DAHNER's name, you mentioned that how?

A. He was supposed to have guarded the cigarettes.

Q. Captain BOATMAN, we have an allegation by a Vietnamese female who lived in the vicinity of Co Lay (2) that on the 16th of March she was raped twice by two American soldiers, and the American troops in that area on that day killed 90 Vietnamese civilians. What is your reaction to that statement?

A. I don't believe it. I don't believe it, because I was in the area the next day, and there were no--that's what I say. I didn't believe it. I had my doubts about the 30 being killed. I didn't see any women. She must have been an old woman. I didn't even see any young women.

Q. She was born in 1933.

A. I did see some young women in the Ky Xuyen area, but none in the Co Lay area.

Q. You don't believe there could have been 90 bodies in that area that could have been disposed of between the time

the 1st Platoon went over there and B Company closed on it the next day?

A. I don't think so. I don't think that Lieutenant WILLINGHAM would allow that in the first place.

Q. You think that Lieutenant WILLINGHAM would allow that in the first place. You think that Lieutenant WILLINGHAM knew everything that was going on that day in his platoon?

A. I think he would have known if that many people had been killed.

Q. Do you think anything like this could have happened the next day?

A. No, sir, not at all, because I never heard that much firing.

MR WALSH: Did you see anybody dropping hand grenades in the hootches the second day?

A. No, sir. No, sir.

Q. I would like to show you, captain, Exhibit M-23 which is an Americal News Sheet dated March 17th and ask you if that is The News Sheet referring to this operation that you recall seeing when you got back from this operation?

(Witness examines the document.)

A. (Reading) It was a hot LZ.

Q. Now remember, they are talking both about C Company and B Company in the account. Why don't you take a closer look at it.

A. I don't ever remember this one, 69 men killed by a battery. I don't remember that one.

Q. You are referring to the third paragraph of the second column of the first page, and you have no recollection of hearing that 69 Vietnamese were killed by artillery on the 16th in the area of C Company's operations?

A. No, sir.

Q. That would be a pretty high body count for a battery to get in one operation, wouldn't it?

A. Well, yes. It's unlikely.

Q. Did you have any other instances when B Battery killed 69 people during a prep?

A. No, sir.

Q. Would you remember it?

A. Yes, sir.

Q. You would?

A. Yes, sir, I would have.

Q. Did you hear any discussion about this when you got back?

A. No, sir, not about this, 69 people being killed. I sure can't remember that.

Q. Well, I am a little puzzled, captain. This apparently is the first time you have noted the 69 body count attributed to artillery?

A. Yes, sir.

Q. And I think you said that you noted from The Americal News Letter when you got back the count of 128 killed VC and only 3 weapons?

A. Yes. I don't remember that 69. I sure don't.

Q. You don't remember any discussion among the artillery people over this?

A. I sure don't, sir.

COL WILSON: Captain BOATMAN, do you have any further testimony or information that might help us or any statement that you would like to make?

A. No, sir. I've tried the best I could today, sir,

to recollect, and I know a lot of it is misplaced, but it's as accurate as I can get and be truthful with you.

Q. You are speaking primarily of your annotations on the photograph?

A. Yes, sir.

Q. I appreciate that. I understand that it's difficult to remember 2 years ago and be accurate with it. However, if we get enough people to piece this thing together like this, we should be able to come up with an answer.

A. I will say that the people in Task Force Barker were very proud to be in it and to work under Colonel BARKER. Maybe it might have been wrong, but he let the company commander run the show. He told him what to do, and they did it. He didn't harrass them like some battalion commanders did.

Q. You didn't by any chance see Colonel BARKER come into the laager area that first day?

A. No, sir, I cannot remember him coming in on that particular day. I know he came in on the 19th before the extraction. I know that.

Q. Did he talk to any individuals before they were pulled out?

A. I talked to him, sir.

Q. What did he say? Did he say anything about the operation?

A. He thought it was successful. I remember him saying that, and I also remember the statement of Sergeant JOHNSON that, by God, we could take these 60 millimeter rounds back and show the people back at brigade headquarters that we did take incoming. That is the only time I can remember talking to him on this operation.

Q. Did you see Colonel HENDERSON with him?

A. No, sir. I didn't see Colonel HENDERSON but one time the whole time I was in the field. I saw General LIPSCOMB

a lot of times in the field. He came out to the field a lot. But I never saw Colonel HENDERSON.

Q. How about after this operation, did you see him any then?

A. No, sir.

Q. When you saw General LIPSCOMB, where did you see him?

A. I saw him time and time again. He dropped in on us when SPRAGGINS was hit. He dropped in on at LZ Dottie the day my baby was born on February 22nd, and I gave him a cigar. I knew him, but I didn't know Colonel HENDERSON very well.

Q. Did General LIPSCOMB come out to the objective areas like this often?

A. Yes, sir.

Q. Did he spend any time out there or did he--

A. (Interposing) Oh, I wouldn't say he got out and walked with us. He just got out to see how the troops were getting along which I thought was good.

Q. Do you have any further statements?

A. No, sir.

Q. Captain, you are ordered not to discuss your testimony in this investigation with others including other witnesses for this investigation except in performance of official duties or as you may be required so to do before a competent judicial, administrative, or legislative body. There is a legislative committee sitting to investigate this thing. You could be called as a witness. I don't think it's likely, but in any case this restriction that I just ordered would not be in effect. In other words, you may discuss with them any questions they ask of you.

A. Yes, sir.

Q. I'm sure that you are not going to be a witness in



the court-martial case of the United States v. Calley, but if you are cited as a witness, this order is not applicable.

A. Yes, sir.

Q. Do you have any questions?

A. No, sir.

Q. We appreciate very much your making a long trip and coming in. The hearing will recess.

(The hearing recessed at 1650 hours, 19 January 1970.)

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SUMMARY OF TESTIMONY

WITNESS: BOGEAR, Gerald A. SSG

DATE OF TESTIMONY: 14 January 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: Supply Section, B/4/3,  
Spent most of time with trains section.

1. PRIOR TRAINING IN THE RULES OF LAND WARFARE.

The witness did not receive any training on the handling of PW's or noncombatants (pgs. 3, 5). He had no instruction on the rules of land warfare (pg. 5). The witness had never before seen the MACV Card "Nine Rules" (pg. 4). While he had seen the MACV Card "The Enemy in Your Hands", he had never had the card issued to him (pg. 4). He did not go through any training with the unit when it got to Vietnam, because he had been injured (pgs. 4, 5).

2. RECOLLECTION OF A TASK FORCE BARKER OPERATION.

While the witness remembered something about an operation between Duc Pho and Chu Lai, he did not relate it to 16 March (pgs. 6, 8). He never went into the field on an operation himself, and he only recalled the operation mentioned because there was resupply and communications difficulty (pgs. 3, 8). He never handled any PW's, and civil noncombatants were never brought back to his area (pg. 9). He recalled being part of Task Force Barker because of the nickname "Barker's Bastards" the origin of which he did not know (pgs. 7, 12).

(BOGEAR)

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SUM APP T-158

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3. INQUIRIES AFTER THE ASSAULT.

He never heard about an investigation of a Task Force Barker operation (pg. 9). He heard no rumors about non-combatants being killed unnecessarily or mistreated in the Task Force Barker area (pgs. 11, 12). Nobody ever "ribbed" him about being in Task Force Barker for that reason (pg. 12).

4. OTHER INFORMATION.

a. His duties.

The witness never went out in a chopper to pick up casualties, nor did he receive them at the LZ when they were brought in (pg. 6). He did not work directly with company supply, but he saw those people quite often (pg.10).

b. Assessment of EBINGER.

The witness stated that EBINGER was "no good" and had a poor attitude (pgs. 10, 11). BOGEAR never heard EBINGER complain about the mistreatment of Vietnamese (pg. 11). He did not know who EBINGER's friends were (pg.11).

c. Assessment of Task Force Barker.

The witness thought that Task Force Barker was a good organization which seemed to function well (pgs. 12, 13).

d. Use of marijuana.

While he thought that many people used marijuana in Vietnam he knew of no marijuana problem that existed in the operational area (pg. 13).

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EXHIBITS

EXHIBIT NUMBER	DESCRIPTION	NOTES	PAGES
M-2	MACV Card "Nine Rules"	Witness never saw before.	4
M-3	MACV Card "The Enemy in Your Hands"	Witness had seen card but it was not issued to him.	4

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(The hearing reconvened at 1606 hours, 14 January 1970.)

COL WILSON: The hearing will come to order.

RCDR: The following named persons are present: COL WILSON, MR WALSH, LTC NOLL, MAJ ZYCHOWSKI, and MAJ THOMAS.

The next witness is Staff Sergeant Gerald A. BOGEAR. (SSG BOGEAR was called as a witness, was sworn, and testified as follows:)

Please state your full name, grade, and Social Security number.

A. Gerald A. BOGEAR, Staff Sergeant, E-6,

RCDR: State your branch of service, organization, and duty station.

A. My branch is Infantry. I am assigned to the United States Army Advisory Group in Chicago, Illinois. My duty station is DesPlaines, Illinois.

COL WILSON: Before we proceed, I would like to inform you of several matters.

The Peers Inquiry was directed jointly by the Secretary of the Army and the Chief of Staff of the Army for the purpose of determining facts and making findings and recommendations concerning the My Lai (4) incident of March 16, 1968.

In conducting his investigation, General PEERS determined that it was necessary to have a complete insight into the overall ground and air operations of Son My Village area, which included the B Company operations over on the coast. This operational knowledge that he needs is for the period of 16 through 19 March 1968, and maybe 20 March; we're not sure. He therefore appointed this board, which is referred to as interview team C, to question personnel of B/4/3 and prepare a complete description of the unit operation.

You may expect General PEERS or any member of the board to appear at anytime.

Your testimony will be taken under oath. A verbatim transcript will be prepared. A tape recording is being made in addition to the verbatim notes being taken by the reporter.

Although the general classification of our report will be confidential, it's possible that your testimony or parts of it may become a matter of public knowledge.

During the interview, the team will follow a chronological sequence of questioning. The first series of questions will be concerned with training just prior to and after entering the Republic of Vietnam. The second series of questions will inquire into the briefing prior to the combat assault on the 16th of March, 1968. The third series will be concerned with the operation on 16, 17, 18, and 19 March. The final questions will be concerned with any prior investigations or inquiries into the task force operations on the 16th March. Do you have any questions?

A. No, I don't, sir.

Q. What was your assignment on 16 March 1968?

A. Well, at the time, I was with Bravo Company. I was in what they call the trains area. I was in the supply section. We ran resupply and acquired all of the items from the different channels and made sure they were ready to be put on a helicopter or any mode of transportation and taken out to the troops in the field.

Q. Were you with B Company in March of 1968?

A. Right, I would have been, sir. Right, sir. Let's see, March of 1968. We went over in 1967.

Q. You went over in December?

A. December of 1967, right. I was there, sir. I was there for a year, and I spent my entire time, up until June when they had a MARS station, with the company in the trains area.

Q. Where was the trains area?

17 612

A. Well, we had one when I first arrived that they called Carantan, and then, I don't remember the date, we moved up near Chu Lai, up to an area up there across from the airport, across from the highway, and I don't know if there was a name on that or not.

Q. What was your duty assignment in the company?

A. I understand they carried me as a squad leader, and in my records it shows that I was a squad leader.

Q. What platoon were you assigned to?

A. I don't remember, sir. I spent all of my time in the trains area with resupply.

Q. Did you go on any operation with the unit?

A. I was only in the field one time, and I was in the chopper then. I had to have a first sergeant sign a piece of paper for me. That is the only time I was out in the field.

Q. Did you ever spend any time at Dottie or Uptight?

A. No, sir. I was out there, like to take a paper out and drop it off, but other than that, as far as spending overnight or anything like that, no.

Q. Were you with the 11th Brigade before they left Hawaii?

A. Right, sir. I was one of the original people in the brigade.

Q. Was there any special training given before the movement to the Republic of Vietnam?

A. I think that was the basic idea of our training, to Vietnam, from what I understand.

Q. Did you receive any special training over there on handling prisoners of war or noncombatants?

A. I didn't, no.

Q. Were you with the unit at that time?

A. Yes, sir.

Q. Did you receive any training at all with the unit?

A. Right, I did, sir.

Q. Did you receive any training preliminary to overseas movement from Hawaii?

A. I spent time in the field with the troops as a squad leader for a while, and then I got hurt and went to the hospital. After that, I came back and was put in the trains.

Q. That was when you went to the trains?

A. Yes.

Q. Sergeant, I show you Exhibit M-2, a facsimile of a pocket-size card which is entitled, "Nine Rules". The card is red with MACV insignia on it. Have you ever seen that card?

A. It does not look familiar to me, sir. I don't remember seeing it, sir.

Q. Exhibit M-3 is a facsimile of another MACV card entitled, "The Enemy In Your Hand". Have you seen that card?

A. I think I have seen that, sir.

Q. The back of it is on the next page.

A. I have seen that.

Q. Were you ever issued one of these cards?

A. I don't recall whether I was or not, sir.

Q. Do you recall any of the other troops having these cards?

A. No, not offhand, I don't.



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Q. Do you recall any training after you arrived in Vietnam regarding PW's, noncombatants, and the rules of land warfare?

A. If they had it, I didn't get in on it.

Q. Do you recall whether the company went through a period of training upon arrival?

A. I believe they did that in the area several times whenever it was stationary.

Q. Did you participate in this training?

A. I didn't, sir.

Q. You didn't go through any training with the unit after they got to Vietnam?

A. I didn't, sir.

MAJ ZYCHOWSKI: Sergeant BOGEAR, you said that you were working in the rear trains. Is this correct?

A. Yeah, I was working in the rear trains. I'd go to the battalion and pick up any supplies that they requested and get them ready to be shipped out to the unit.

Q. Were there any other members of B Company that were working there with you, assigned with you?

A. Yes. I don't recall the names of the ones that were down south, though. Let's see, we had a supply sergeant that was in there. Of course, he was not actually in this particular section that I worked with.

Q. What I am referring to, you have an MOS, I assume, as an infantryman?

A. Right, sir.

Q. Well, what I was looking for, were other infantrymen assigned to a platoon or a squad that were working as supply personnel or in the rear trains, as you mentioned?

A. I don't recall the names of the people who were in the unit. Of course, I knew Sergeant VANN, who was here yesterday and today, but I don't know the people who were there that particular time that we were talking about here.

Q. If I showed you a roster of the company, could you pick out the personnel?

A. Possibly, maybe one or two of them.

COL WILSON: Do you know where they are now?

A. No, I don't, sir.

Q. Do you recall an operation that took place on the 16th of March?

A. I don't remember the date, sir.

Q. Did you ever have anything to do with handling casualties?

A. Several times we went--I had to go to the morgue over at 2d Surg, it was a field hospital, and went over there several times, and I didn't find people that had been shot.

Q. This is for identification purposes?

A. Right.

Q. Did you ever have to go out in the choppers and pick up casualties?

A. No, I never did, sir.

Q. Did you have to receive casualties at the landing zone after they were brought in?

A. No, I never did that. The only time I had to get any identification, like I say, was when I was at Chu Lai when we were in our area up there, and that was just probably 5 or 6 miles across into the compound where the hospital was.

Q. Now, back in your area, what did you have mostly? Rations? Ammunition?

17 616

A. We had to supply the troops with whatever they called for that was available: rations, ammunition.

Q. Where were the messes?

A. We usually had the mess hall with us in the trains area, and they prepared the food and it went on the same chopper as all of the other supplies went on.

Q. Now, was the mess that went to the troops in an operational area, this food was prepared from the fire bases?

A. Well, it all depended on the situation and where they were resupplying from. Where we resupply, usually the food came from there. But we would get our supplies ready, and we always had to inform the mess sergeant how many people they called they had in the field that day, and that was all included in our estimate of what we needed in order to ship out to them.

Q. Do you remember Task Force Barker?

A. I heard of it, sir, I sure did.

Q. Do you remember being a part of Task Force Barker?

A. I do, sir.

Q. Why do you remember that?

A. Well, mainly, sir, because they called us "Barker's Bastards."

Q. Anything else?

A. That is about all, sir. That is the main thing I remember. They had those round patches that they made up with plastic on the outside.

Q. At the time Task Force Barker was operating, they were operating up there east of Highway 1, up northeast of Quang Ngai. Do you remember that area? Do you know that area at all?

A. I was never north of Chu Lai.

Q. You didn't go north of Chu Lai? South of Chu Lai. It was between--you know where Quang Ngai is. Do you know where Quang Ngai City was?

A. Roughly.

MR WALSH: It is north of Duc Pho?

A. North of Duc Pho.

COL WILSON: Yes, north of Duc Pho, between Duc Pho and Chu Lai.

A. I remember something about operations north up there.

Q. Do you ever recall going into that area?

A. I myself, personally, was never in there.

Q. Do you recall any statements about an operation in there for about 4 or 5 days back in March 1968, about 3 months after you got into the country?

A. I remember that we had a little trouble getting supplies to them about that time. I don't know how they did resupply. We couldn't get any supplies to them for any reason. There was no communications for some reason. I believe that was about the only incident that I recall about that time.

Q. What you did, actually, in the case of being B Company's train sergeant, the supplies that you sent out for B Company went to the fire base? Is that correct?

A. Sometimes they did and sometimes they went right to the field.

Q. Right out to the field?

A. Right.

Q. So it could be either case?

17 618

A. It could be either way, depending on where they were. That we don't know.

Q. Who did you have to assist you?

A. Well, let's see, we had our Specialist SHEAVER-FIELD there. I think his first name was Paul, and I had other people under--

Q. (Interposing) Did any of your assistants ever go out with the helicopters into the objective area?

A. Some of them did, yes, to take papers out to be signed and stuff like that, deliver the mail and things like that.

Q. Did you ever get involved in the handling of prisoners of war?

A. No, sir, never did.

Q. Civil noncombatants?

A. Never had any--

Q. (Interposing) They never did bring them back to your area?

A. No, sir.

Q. Did you ever hear of an investigation being made about an operation that took place up in the Task Force Barker area?

A. Not while we were over there, no, sir. Not until I started reading the papers when I got back.

Q. You never did hear about it until then?

A. That's the first I had heard about it.

Q. Did you ever know a man named EBINGER?

A. Yes, sir, I do.

Q. Did EBINGER work for you?

A. He didn't work for me. He was not assigned to me personally. He was back in the base camp a lot of time. He served most of his time with the supply, the company supply.

Q. How is that different from what you did?

A. The company supply supplied us with all our clothes, anything that would come through S4 directly. That is the way they would take care of that, and mine was--I got a lot of mine from the company supply and the different sources we had available.

Q. You worked with the company supply, didn't you?

A. Not directly, no, sir.

Q. You saw the company supply people often, didn't you?

A. Right, I saw them quite a bit.

Q. Your equipment supplies, and ammunition, and rations that you sent out must have come through your company?

A. It did, but it came through, lot of it, from our trains which was back down by Duc Pho. It was shipped to us by truck.

Q. Who was your boss?

A. Well, I took most of my orders mostly from the first sergeant.

Q. He was not with you, though, was he?

A. No, he was down south most of the time, either down south or out in the field.

Q. Did you ever talk to EBINGER?

A. Because I had to.

Q. Why do you say that?

A. He was no good, sir.

Q. Is that right?

A. Yes.

Q. Why?

A. I just need not say.

Q. Did you ever hear him complain about mistreatment of Vietnamese?

A. No, I didn't, sir.

Q. You never did hear him say anything like that?

A. If he did, sir, I didn't pay much attention to him, sir, because I didn't like him that well.

Q. Did he have any friends?

A. I would say, possibly, not too many.

Q. I am trying to find out, if he had one, who it was.

A. I don't think he was too well liked, because of his attitude?

Q. What was his attitude?

A. I would say it was real poor, definitely wasn't someone you would like to have around the military.

Q. You never really sat down and talked to him for any length of time, then?

A. No, sir.

Q. You don't remember who he associated with?

A. I can't think of any name that he was really chummy with.

Q. Have you ever heard any rumors while you were in Vietnam or immediately after you came back about noncombatants being killed unnecessarily up in the Task Force Barker area?

A. No, I didn't, sir. Not until, like I said, just recently when this all came out in the newspapers.

Q. That is the first you heard of it?

A. That's the first I was aware of it.

Q. They called you "Barker's Bastards." They were not talking about killing everybody?

A. I never did figure out the reason for that, sir.

Q. You never heard about mistreatment of Vietnamese or unnecessary killing up in that area by B or C Companies or any of the units by Task Force Barker.

A. No, sir.

Q. Nobody ever ribbed you about being in Task Force Barker for that reason?

A. If it was, I wasn't aware that that was the reason for it.

Q. I mean about stating that?

A. No.

Q. Nobody ever came out and stated anything?

A. No, nobody has ever said anything like that to me.

Q. What did you think of Task Force Barker?

A. Well, really, I never thought anything about it.

Q. Did you think it was a pretty good organization?

A. It seemed to be.

Q. Did it function well?

A. Everything seemed to go well.

Q. Did it work any better for you while you were at 4/3? Did you notice any difference in operations?



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A. The operations were pretty much the same as far as our being able to resupply. We had a little trouble occasionally with communications, our radios not being able to reach them, but that was our main communications. They would get on the net and call us 6 o'clock every night, and that is how we would get our resupply list. Occasionally, it would be relayed to us by some other company that could hear us.

Q. Do you know of any marijuana problem that existed in the operational area there?

A. No.

Q. Pot?

A. No, I think everybody smoked pot over there.

Q. Everybody?

A. I won't say everybody, but there were those who did, that had their share of it. I didn't know who they were.

Q. Was that a problem area?

A. I don't think it was, really.

Q. Well, I was talking mostly about the people going on the operations or anybody that was going out on these operations. Did you ever have any of your people that worked for you that you were concerned about using pot?

A. No, I didn't, sir.

Q. Where did most of the pot come from?

A. I don't know.

Q. In the village or the town?

A. I don't know, sir.

Q. Sergeant BOGEAR, under the circumstances, I don't believe you can provide us with the information we are looking for, because it should have been in very close contact with the company at the fire bases--

A. (Interposing) I didn't actually see too much of the company once it went out in the field. In fact, they were back several times on a stand down, 2 or 3-day break, and there were 2 or 3 times I didn't get to see them. I was north and they were back south at Duc Pho.

Q. I'm going to ask you to get with Major THOMAS after this is over and see if there is any information you can provide us on witnesses and locations. I will advise you that you are ordered not to discuss your testimony with others, including other witnesses for this investigation, except in the performance of official duty or as you may be required to do before a competent judicial, legislative, or administrative body. Do you have any questions on that?

A. No, sir.

(The hearing recessed at 1636 hours, 14 January 1970.)

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