

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

Volume II
TESTIMONY

BOOK 19

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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 19

HALL, H.
HOLMES, L.
HOOTON

JENKINS
JONES, M.
LINKOUS

LIAS
LONG

14 MARCH 1970

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SUMMARY OF TESTIMONY

WITNESS: HALL, Homer C.

DATE OF TESTIMONY: 26 January 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: 1st Squad, 1st Platoon, B/4/3.

1. PRIOR TRAINING IN THE RULES OF LAND WARFARE.

The witness had been with the company for six months in Hawaii and left with them for Vietnam in December (pg.4). He had his AIT with them and was then placed in the first platoon (pg. 4). While in this advanced training in Hawaii he was taught how to maneuver with the squad as well as the handling of PW's (pg. 5). They were taught to handle them with respect when they were captured and to take them to someone for interrogation (pg. 5). The witness had seen Exhibit M-2, "Nine Rules", and stated that he had one and was given it either in Hawaii or while enroute to Vietnam. He felt that everyone in the unit had one (pg. 6). The witness was going to check among his personal belongings at home and forward the card if he had a copy (pg. 6). Exhibit M-3, "The Enemy in Your Hands", had also been seen by the witness and he felt that he was issued it (pgs. 6, 7). While in Hawaii he went through a lecture on the Geneva Conventions and received a card for this (pg.7). The witness, in discussing apprehension of civilians in a village, stated that if they saw someone they would give a warning shot and if the individual fled they would have to stop them in some way (pg. 65).

2. PREOPERATIONAL PLANS AND BRIEFINGS.

The witness recalled being briefed by Captain MICHLES prior to boarding the choppers at LZ Uptight (pg. 8). MICHLES

told them that it was a VC suspected village, that they were going in, and that it was a search and destroy mission (pg. 8). He stated that they would usually know the night before when they were going on an operation and the squad leaders and sometimes the team leaders would be called into the CP (pg. 9). He felt that Lieutenant WILLINGHAM briefed them on the day prior to the operation and stated that Sergeant LIAS, the squad leader, would brief them after the lieutenant told him what was to take place. He stated the order of the briefing was given to the squad by Sergeant LIAS first, then to the platoon and finally to the company when they had all joined together for the lift out (pgs. 9, 10). The feeling that this assault was going to be "a little bit different" was given to him by the CO (pg. 14). They were told to leave nothing standing but there were no details given (pg. 11). They were told by MICHLES to fire a warning shot at individuals who were fleeing and if they did not stop to shoot them down (pg. 11). He stated that normally they would gather up the food and put it in a pile which would later be picked up by a helicopter (pg. 12). He did not recall a mention of destruction of livestock or foodstuffs (pg. 12). He felt that because this was a search and destroy mission it was different from their normal mission and that they would see numerous VC in the area (pg. 13). MICHLES told them not to shoot down anyone (pg. 13). Suspects that were apprehended would be held pending instructions from the company commander, which was normal procedure (pg. 13). The witness stated that he had a fear of the Pinkville area because of past events which had occurred there (pg. 15). They clearly anticipated the area to be occupied by the VC because it was emphasized in the briefing (pg. 14). Sergeant LIAS then told them how they were to pair off and his squad was to take the point (pg. 15).

3. COMBAT OPERATIONS FROM 16 MARCH THROUGH 19 MARCH.

a. The landing and activities on 16 March.

(1) The landing.

The witness felt he was on the second lift and heard some firing while he was going in (pg. 18). He did not feel that it was from his aircraft as the firing was in the distance (pgs. 18, 19). No one from his ship was firing and the gunships, flying in a wide circle may have been doing some firing (pg. 19). They remained where

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they landed approximately ten minutes and began their movement (pg. 19). He did not see Lieutenant COCHRAN being killed, but he did hear the explosion and he felt that it had occurred approximately 50 feet from where they landed (pgs. 19, 20).

(2) On the ground movement.

They proceeded down a trail which led to the village, but he did not recall passing under a gate that went over the road (pg. 20). Being in the first squad he was the lead squad of the platoon, aside from the point people (pgs. 20, 21). As they approached a bridge he noticed a small house near the trail and recalled hearing his point man holler "a grenade" (pg. 21). The grenade did not detonate and some people fired upon the VC that threw it, but he did not think that they hit him (pg. 21). They did see the man who threw it (pg. 21). He saw Sergeant TITTLE jump to one side when it was thrown and thought that along with TITTLE there was TAYLOR, HOOTON, and another young member of the squad who was on his second tour (pg. 21). The witness did not see the man throw the grenade but did hear the firing (pg. 21). After this happened they continued to march towards the bridge which he estimated to be 200 to 300 feet away (pgs. 21, 22). The lieutenant inquired as to what had happened and they told him a grenade had been thrown at them, and he gave them the word to continue (pg. 22). The witness did not hear any sniper fire coming from the area where the grenade was thrown or from the other side of the bridge (pg. 22).

(3) Movement over the bridge and into the village.

The witness stated that they went across the bridge and did not receive any fire from the village (pg. 23). The trail that they followed turned towards the south and went into the village which was 100 to 150 meters away from the end of the bridge. The platoon leader was there and they proceeded to the village in a column. They could see the village as they came across the bridge and he stated that they could see roughly a dozen people going about their business (pgs. 24, 25).

(4) Joining of the machine gunner with the point squad.

The witness stated that normally just prior to

making an entrance into a village they would clear the area with a machinegun (pg. 36). In this instance the lieutenant called the machinegunner forward just after they crossed the bridge prior to entering the village (pg. 29). Normally, the machinegun, which the witness described as their needed weapon, would be kept behind the second squad, but it was brought forward and placed like a point squad in the first squad (pg. 29). The machinegunner did not place the weapon in position but fired it holding it in his hand (pg. 29). When he started firing everyone in the village joined him in firing on the people as they came running out of their hootches (pg. 30). He knew the machinegunner used quite a bit of ammunition in clearing the village (pg. 37). The witness stated that he could not say whether the lieutenant directly ordered the machinegun but he did know that the word came back for the machinegunner to move forward (pg. 38). He felt that the lieutenant told the machinegunner to commence firing (pg. 38). The witness later stated that the people in the unit had in their minds that this was a different type of operation and felt a lot of "boys did get carried away" especially the machinegunner (pg. 81). He stated that the lieutenant told MILUS to simmer down. The witness felt that MILUS lost his cool all together, and went "kind of crazy there" (pg. 81).

(5) Activity in the village.

The witness stated that after the village was "cleared" they moved through the village in a southerly direction (pg. 26). He stated that the village was searched and they were mostly looking for males of military-age, but all they saw were women and children (pg. 26). He stated that they would look inside of the hootches and check out the bunkers (pg. 26). The searchers were the four point men including TAYLOR who was described as a morale builder (pg. 27). The witness searched with the man named GARCIA (pg. 27). Possibly HOLMES was with them (pg. 28). The witness stated he never liked to be by himself and so it was two or more that he searched with (pg. 28). He felt that he searched six to eight hootches and heard no firing other than that of the machinegunner who was firing at anything that moved (pgs. 28, 29). The witness did not recall any orders from the lieutenant assigning particular sections to individuals for searching (pg. 42). He felt the squad leaders decided which areas they would search (pg. 42). The

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searches took the largest portion of the day, two to four hours and the witness felt that they were there all day (pg. 42). He stated that it looked like a normal village to him and he did not see any people in the hootches while searching (pg. 43).

(6) Conduct of civilians during the search.

The witness stated that most of the people had gathered together on a spot near the ocean in a huddle while the firing was going on, and they remained there during the search (pg. 43). During the initial firing by the machinegunner the witness spotted four women, whom he described as being terrified, watching them from a hill which was between the unit and the ocean (pg. 30). He also pointed out that if individuals were running they were fired upon (pg. 30). This continued until the captain notified them that they were not to "kill anybody" (pg. 30). The lieutenant relayed the message that they were to gather up the suspects (pg. 30). When they eventually left the area, they left behind them the people who had gathered together on the beach (pg. 45). They did take one woman for guiding them around mines (pgs. 45, 54). The witness stated that a rope was usually used on these point guides to prevent the people from running away (pg. 54). It was not to hurt them (pg. 54).

(7) Killing and raping of civilians.

The witness stated that he saw approximately three bodies of women and children in the village (pgs. 32, 33, 35). He also saw approximately a dozen people who were hit while running from the machinegun fire (pg. 36). He did not see any men having "a little fun with the women" (pg. 34), and he stated that Captain MICHLES was strict on the molesting or raping of women and had laid down certain standards (pg. 35).

(8) Setting of explosives in the village.

The witness stated as they moved on through the village they ran out of ammunition and a helicopter flew some in along with TNT or C4 which was used to blow up the bunkers and which "flattened that village" (pg. 31). He did not recall what kind of a chopper landed with the explosives (pg. 32). The witness mentioned

that he heard a rumor that one of the bunker tunnels collapsed on a woman pinning her into the hole (pg. 45). He stated that before leaving the village to go to the north they burned all of the hootches (pgs. 44, 45).

(9) Other activity on the beach.

The witness stated that he recalled some Vietnamese being sent up the beach from a U.S. boat for questioning on the first day of their activity (pg. 51). He said there were also four or five Vietnamese National Police present who arrived by helicopter and left before nightfall (pgs. 51, 52). Fishermen that were sent in were interrogated by these police (pgs. 49, 50). He did not see any of the interrogations, because he remained on the beach watching the patrol boat out in the water and he did not have communications with the CP (pgs. 52,53). He was on the beach with a man named GARCIA (pg. 53). He only recalled one fishing boat coming in to their area (pg. 55). He felt that the Vietnamese from the boat were only in the area for approximately 30 minutes (pg. 54).

(10) Night laager position.

The witness recalled C-rations being flown in and laagering on the beach for the evening (pg. 49). He was on the perimeter along with GARCIA and a newcomer whose name he did not recall (pgs. 53,54).

b. Activities on 17 March.

The witness stated that the next morning, on 17 March, he thought they were to meet up with the rest of the company and went back down the trail in a southerly direction toward the bridge they had crossed the previous day (pg. 55). He was towards the end of the platoon. He thought they received some fire from a bank located to his left (pg. 55). He stated he fired one or two shots. The sniper fire pinned them down, but he did not recall returning any fire which amounted to anything. TAYLOR and the point men were ahead checking the trail for boobytraps (pg. 56). TAYLOR hit a mine with his rifle near the bridge and his foot was blown off (pg. 56). A helicopter came in to medevac him and it received some fire from the same bank (pg. 56). He did not see TAYLOR when the mine went off but saw him after when he was wrapped in a poncho and being

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loaded onto the helicopter. After TAYLOR was wounded, the company immediately proceeded to cross the bridge (pgs. 57, 58). They returned to the village they had swept the previous day and went through it in line on a resweep (pg. 56). Two helicopters came in and began firing into the village from behind the company (pg. 59). He stated he could hear the "popping over our heads" (pg. 59). Three bodies that he had seen the previous day were gone from the trail (pgs. 59, 60). As they moved south into other villages they did not run into any more Vietnamese. They proceeded along a trail which took them down into the South China Sea (pg. 61). While proceeding down the trail they came across a number of hootches which they burned (pgs. 61, 62, 66). When they reached the beach they remained there awhile and then retracked in a northerly direction for their evening laager (pg. 62). The witness did not know if they returned again to the village which they had destroyed on 16 March, nor did he recall the location of the bridge to their night laager position. That evening he stated they had hot chow, but he did not recall if they were issued equipment and ammunition (pg. 63). He did recall that they were brought some fragmentary grenades (pg. 63). The witness pointed out that the morale went down that day because TAYLOR was wounded and as TAYLOR was medevac'd he yelled "kill them, kill them" (pg. 67). That evening with all platoons present they formed a company size perimeter and he did not recall anything unusual happening (pg. 68).

c. Activities on 18 March 1968.

The following morning, on 18 March, they continued moving in a northerly direction going through the village that they had burned on 16 March and continuing through it running into more villages (pgs. 68, 69). He stated that the villages were better up north and they ran into a large number of people, mostly women, children, and old men (pg. 69). They gathered all of the people from the villages and put them on the beach (pg. 69). The witness did not recall anything unusual happening that day, nor did he recall any helicopters coming in (pg. 69). He did state that the squads and platoons were sent out on probes into the villages to the north and so he was separated from the company for most of the day (pg. 69). Somewhere between 1530 and 1630 hours, he rejoined the company and set up another night perimeter (pg. 70). The people that had been rounded up were still present, and he did not recall anyone

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receiving any medical treatment (pg. 70). He stated a helicopter could have come in, but he was separated from the beach area for most of the day (pg. 71). They dug into the area and he believed he started pulling guard somewhere around 1900 hours (pg. 74). At approximately 0215 they were hit with mortar fire which killed MILUS and wounded both Sergeant RUSHIN and MILLSARS from his squad (pg. 75). Sometime during the evening he heard screaming on the beach and he also heard some firing (pg. 75). The wounded men were medevac'd by helicopters which had gunship escorts.

d. Activities on 19 March.

The witness stated that the day following the mortar attack they were lifted back to LZ Uptight (pg. 79). Their operations over the next few months were standard and followed the normal procedure (pg. 79).

4. INQUIRIES CONCERNING THE ASSAULT.

The witness had no knowledge of investigations or inquiries concerning the operation that they had been on (pg. 79). He was not asked any questions nor was anyone that he knew (pg. 79). He did not recall anyone telling them not to say anything about it or to keep it quiet (pgs. 80, 82).

5. OTHER INFORMATION.

a. Prior to his appearance before the board the witness stated that he and Sergeant RUSHIN had encountered each other in the airport on their way to Washington, had flown up together, and had shared a room the previous evening (pg. 18). They discussed some of the operation trying to pinpoint some facts but they did not go into any detail (pg. 18).

b. The witness described Captain MICHLES as being "a man of a military mind", who went according to the book (pg. 35). He felt that MICHLES was always pleasant, was a go-getter, and was "a decent man" (pg. 35). He pointed out that MICHLES would not go along with molesting women (pg. 35). He also stated that MICHLES was mindful of the Vietnamese and would send them in if they were wounded (pg. 77). He stated that MICHLES would make sure that any suspects were treated correctly (pgs. 77, 78).

c. The witness did not know of any abuse of marijuana in the company but stated that TAYLOR did have a packet of something which TAYLOR described as marijuana (pg. 82).

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HOOTON, according to the witness, kept telling TAYLOR that it was nothing but old tobacco (pg. 82). He did not see any problem in the company of people using marijuana (pg.82).

d. The witness stated that he did not have a camera with him on the operation and he could not recall the names of anyone else in the unit who may have had one (pgs. 82, 83).

e. The witness stated that C/1/20 could have been in the area on 16 March, because the witness stated that there was another unit in the area doing the same thing "that we were doing". He heard nothing further about the activities of C Company (pgs. 83, 84).

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SUMMARY OF RECALL TESTIMONY

WITNESS: HALL, Homer C.

DATE OF TESTIMONY: 2 March 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: First Squad, First Platoon, B/4/3.

1. MARKING OF LOCATIONS ON EXHIBIT P-234.

The witness was recalled and told what had been learned about activities on 16 through 19 March (pgs. 86-89). As a result of his testimony markings were made on Exhibit P-234 indicating: the area covered by the first squad along the trail at approximately 0930 hours; the location of MILUS' M-60 firing which covered the village at 0930 hours; the location of 10 to 15 hootches in the village; where the platoon rounded up 20 to 25 women and children at about 1500 hours; the location of a well-built bunker that TAYLOR helped an old man out of; the location of the area that the point team was withdrawn from prior to the M-60 fire; and delineation of the village by a dotted line (pg. 121).

2. ADDITIONAL INFORMATION ON THE ACTIVITIES OF 16 MARCH.

a. Members of his squad.

The witness agreed that LIAS, HALL, GARCIA, MICHENER, MILUS, STRACHAN, and JONES were in his squad that day (pg. 104). This included MILUS and STRACHAN because they were machinegun personnel attached to the squad (pg. 104). He pointed out that normally they would keep 10 meters between each man, so that it would mean that

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from the machinegun location to the rear of the squad was a distance of 70 to 80 meters, indicating that a number of the squad would not have yet come around the bend when the machinegun was fired (pgs. 104, 105).

b. Description of trails in the village.

The witness indicated that the trail that went south from the fork after the bridge, ran 30 yards from the water (pgs. 92, 93). He also stated that the trail which ran to the north from the fork ran quite a distance, close to the water and was possibly overrun by the river at that time (pg. 94). He stated that the bridge was approximately 100 to 150 meters from the village. The hootches were located to the left and right and he indicated that the trail ran through the middle of the village (pg. 95).

c. The location and firing of the machinegun.

The witness stated that after coming off the bridge and making a right-hand turn towards the village, the machinegun was deployed and began firing upon the entire village (pg. 102). He located the machinegun on Exhibit P-234. The platoon was located in back of the machinegun (pg. 103). He was the second or third man in his squad, and had already made the turn in the bend of the trail (pg. 103). The M-60 belonged to MILUS (pg. 106). He stated that the point men consisting of TAYLOR and TITTLE had already gone into the village and checked out one or two of the hootches and were then called back before the machineguns started to fire (pgs. 106, 107). He stated it could have been the lieutenant that called them back because he felt that the lieutenant was trying to keep the platoon together in a coordinated movement and the point team had gotten too far ahead of the platoon (pg. 107). The M-60 fire covered the entire area they were to enter, firing through a medium growth of vegetation. (pg. 107). The banana trees blocked the witness' observation of the village (pg. 108). He could see five or six of the hootches but the machinegunner, being ahead of him, would have been able to see more (pg. 108).

d. People in the village.

The witness stated that even before they crossed the bridge they could see movements in the village, although they could not tell whether the people were male or female (pg. 110). After the machinegun fired from 10 to 20 minutes, along with some small arms fire, they entered the village and he stated that he saw two bodies and possibly a third trapped in a bunker (pgs. 110, 111). He stated that possibly they passed their grenades forward to the squad which was further into the village to assist them in destroying bunkers (pg. 111). During the firing the witness said he saw "a lot of people" moving throughout the village (pg. 113). He also described the four women standing on a ridge, but stated he did not see them again, and possibly they were rounded up with the rest of the people in the village (pgs. 113, 114). When they entered the village he said that some people were seated in their hootches while others were moving down the beach from the south (pgs. 114, 115). He saw TAYLOR help an old man from a bunker (pg. 115). He stated that the 15 to 22 people who were rounded up were found either in hootches or in bunkers (pg. 115).

e. Use of a woman as a guide for the point team.

The witness stated that he did not hear of any rapes in the village, but he did indicate that he saw the woman named Bay, who had reported she had been raped twice (pgs. 118, 119). He did not recall her wearing a pith helmet but did recall that she had "little old flip flops" on her feet (pg. 119). These shoes stood out because primarily the Vietnamese went barefooted (pg. 120). This was the woman that led the point (pg. 119). He did not recall seeing her at a later time with the ARVN soldiers (pg. 119).

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(The hearing reconvened at 1049 hours,
26 January 1970.)

COL WILSON: The hearing will come to order.

RCDR: The following named persons are present: COL WILSON,
MR WALSH, and LTC NOLL.

The next witness will be Mr. Homer C. HALL.

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

Please state your full name, occupation, and resi-
dence.

WIT: My name is Homer C. HALL. I live at 6678 South
Express Way, Jonesboro, Georgia. I am a truck driver with
Harper Motor Lines.

COL WILSON: Mr. HALL, the Peers Inquiry was directed jointly
by the Secretary of the Army and the Chief of Staff of the
Army for the purposes of determining certain facts and making
findings and recommendation concerning the incident which is
referred to as the My Lai (4) incident of March 1968.

In conducting his investigation General PEERS de-
termined it was necessary to have a complete insight into the
operations, both ground and air, of B/4/3 during the period
16, 17, 18, and 19 March 1968. Therefore, he appointed
Interview Team C, which we are, to develop an insight into
the operations conducted by B Company during this time frame.

Your testimony will be taken under oath. A ver-
batim transcript will be prepared. A tape recording is being
made in addition to the verbatim notes being taken by the re-
porter.

The general classification of our report will be
confidential, but it's possible that your testimony or parts
of it may later become a matter of public knowledge.

During the interview the board will follow a
chronological sequence of questions. The first questions will
concern training that you received prior to and on arrival
in the Republic of Vietnam. The second series of questions
will be concerned with the briefing given prior to the com-
bat assault operation on the 16th through the 19th of March,
1968. The third series of questions will be concerned with

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the combat assault and what happened on 16, 17, 18, and 19 March. The final question will be concerned with any knowledge you may have on inquiries or investigations which may have been conducted in Vietnam after this operation.

Do you have any questions?

Let me go a little further. General PEERS and other members of his board may come in here at any time to ask you questions.

There are three members on this interview team here. Mr. WALSH is a civilian attorney who has been designated to assist General PEERS in this investigation by the Secretary of the Army. Lieutenant Colonel NOLL and I are appointed members. We three have authority to ask questions.

Do you have any questions?

A. No, sir. I don't have any questions.

Q. We carry you as being from Calhoun, Georgia.

A. That's right. That was the address when I was in the Army, and I lived there about 8 months after I came out. I moved to Atlanta on the 2nd of June of 1969 due to working conditions. I had a trailer, so I came down and got a job and moved my trailer.

Q. What was your duty assignment on 15, 16, 17, 18, and 19 March 1968?

A. Let me start off in this way. I was called about this, and I was told in the telegram to contact here in Washington a Specialist MACHUSICK. When I did, he said it was about the Peers Inquiry about the My Lai massacre, and he said you have been hearing about that from time to time. I said I caught it on the news, and I said I never heard of the place. That was on the first phone call around 9:30 when I was at Harper Motor Lines. That was all that I told him, and he said, "Can you call me back around noontime?" I said yes, I will. I did, and we had talked in the conversation about a Lieutenant CALLEY. I said I didn't remember the name as far as even physically meeting him or seeing him. I really don't recall him. A lot of things I had forgotten only because, you know, you go through things that you would like to forget. I got to doing some thinking after the first

phone call. When I called him back the second time--I do recollect a Lieutenant CALLEY, but again, I don't remember if I ever met him or not.

Q. Mr. HALL, we are not concerned with Lieutenant CALLEY in this part of the investigation.

A. Well, what I'm trying to do is bring around my remembrance of being in this specific place. I said the only thing that--MACHUSICK said we have the facts here concerning this and this My Lai, and I told him again I do remember a Pinkville area. He said that is the place he was talking about, and then I started to remember.

What I'm trying to do is bring it around about the operations, see. A lot of things you forget and then remember again. So the only thing that I know of that we did, I think, was going to CA--

Q. (Interposing) Wait a minute. Let me get you back into the sequence of questions so I can hold you to that if possible.

The main thing I'm interested in now is what was your duty assignment at that time?

A. Well, I believe it was a search and destroy mission.

Q. What were you? Were you in squad, platoon, headquarters, or what?

A. Yes, I was in the first squad of the 1st Platoon.

Q. First Platoon?

A. Yes, sir.

Q. Who was your squad leader?

A. It was a Sergeant LIAS.

Q. Were you with the brigade in B Company in Hawaii?

A. Right.

Q. You went over with the company ?

A. Right, sir.

- Q. How long had you been with the company when you were in Hawaii?
- A. Six months exactly.
- Q. Six months?
- A. Right.
- Q. And then you departed in December for Vietnam?
- A. Right.
- Q. Were you in the same assignment that 6 months, same squad?
- A. No, because I went through--we had our AIT training there. I was just out of basic training in Benning, and there were a bunch of men who helped form the brigade. I don't remember exactly; it could have been the 2d or 3d Platoon. Our sergeant was a Sergeant MANENDEZ (phonetically) while there. I think we went through this basic training for about 7 weeks, and then I was placed in the 1st Platoon. I had a Lieutenant COCHRAN and a Sergeant WILLIAMS as platoon leaders when I was there in Hawaii, and he was--Sergeant WILLIAMS was the one who--well, they placed him in the 3d Platoon. That is about all I recollect there, but I was placed in the 1st Platoon. I don't remember the lieutenant's name who was our platoon leader.
- Q. You took your AIT in Hawaii?
- A. Yes, sir.
- Q. You didn't take it with the 11th Brigade?
- A. Yes, I was in the 11th Brigade.
- Q. They did give you Advanced Individual Training?
- A. Yes. This is the time they brought some of the DI's over to give us what you might say the touch-ups on this kind of a special thing.
- Q. Were you given any specific training on the methods of handling prisoners of war and VC suspects and noncombatants?

A. Yes. That, of course, was in this advanced training in Hawaii. We had the training, well, like toward the latter part of the training. This is when the other DI's were brought in from the States to give us the touch-ups. We had escape and evasion and things of that nature: training that we had by handling the PW's and so on.

Q. Did these drill instructors train you on any particular subject, or were they training you on tactical subjects or what?

A. Yes, how to maneuver with a squad, learn your elements, you know. For instance, if you break it down into two different type groups that are in a squad, like a rifle squad and so on, and what position a squad leader may play in a squad, and so on.

Q. Did you attend the combat leadership course?

A. I don't remember if I did or not. I had just been a private there. I had assumed it was all the same type of training. They would give you demonstrations, and that is about what was mandatory as far as I was concerned.

Q. What were you told about handling noncombatants?

A. You are speaking about the PW's?

Q. These could be VC suspects or a group of civilians. Not PW's.

A. Well, we were taught to always handle them with respect in a way. You were not just to knock them around or anything like that. If we felt like they were suspected of something, we would more or less apprehend them in a way of gentleness and take them to someone or have someone come to us if we would be in that type of operation. Then they would interrogate them that way. That seemed like the procedure they carried out.

Q. Was that the procedure you were instructed in or the procedure that was carried out?

A. It was instructed in that way.

Q. I want to show you Exhibit M-2 entitled, "Nine Rules," a facsimile of a MACV card. Have you ever seen that card?

A. (Looking at card) Yes, sir. They are familiar.

Q. Did you have one of those cards?

A. Yes, sir. I believe I did.

Q. Where did you get it?

A. I can't remember if it was given to us there in Hawaii or while we were en route on the ship.

Q. Were they passed out?

A. Well, I believe that is how I obtained mine. We all had one there in the unit, and, therefore, I assumed that we were all given one.

Q. Do you by chance have that card now?

A. I may have it in my own personal belongings at home, but I don't have it on me.

Q. If you do have that card, would you mail that into us?

A. If I do, yes, sir, I will.

Q. We'll give you an envelope with our address on it where it is to come, and just indicate that the card was in your possession. If we don't, we won't expect to hear from you, but in case you do have it, do send it.

This is the second exhibit, M-3, entitled, "The Enemy In Your Hands," another facsimile. Have you seen that card?

A. (Looking at card) Yes, sir. I have seen it.

Q. Did you have one?

A. I believe I did, yes.

Q. Once again, if you have that card we'd appreciate getting it from you. We will mail it back to you if you want it back. We are just trying to find out how many people might still have these cards in their possession.

A. Right.

Q. Do you remember if this card was issued at the same time the other one was, or was it issued?

A. Well, they are pretty much on the same thing. I believe they were.

Q. Do you ever remember attending a lecture on the Geneva Convention?

A. Yes. We went through that training there before we were in Hawaii.

Q. Did you get a card for that?

A. Yes.

Q. Was this card given to you at the class, or was it given to you later?

A. I believe it was given to us at the class while we were in Hawaii.

Q. Was anything ever covered in any of these classes about reporting the mistreatment of VC suspects, prisoners, or noncombatants?

A. Well, instructions were given that we--it's just that the cards that were given out were pretty much on the same level. That is about the best way I could answer that.

Q. You don't remember anything specific being taken up in the class?

A. No, other than what those cards said. They are pretty much in the same category.

Q. Let's get to the briefing. Have you gotten this period fixed in your mind, the 3 or 4- day operation in the Pinkville area?

A. I believe I remember a 17 March.

Q. Do you remember a Lieutenant COCHRAN?

A. Do I remember him? Yes.

Q. Do you remember when he was killed?

A. Yes, I do.

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A. Right. They would always have--we would know by the night before if we were going on an operation and the squad leaders and sometimes the team leaders would be called into the CP--and Lieutenant WILLINGHAM, I believe we had him at that time--and we were briefed that night, what we were going to do on this particular operation, where we were going.

Q. Did Lieutenant WILLINGHAM brief you also?

A. Yes, I believe he did the next day. I'm sorry that I cannot be so thorough about this. That was usually the way they could carry out a night prior to the operations. You know, the next day they would call in the squad leaders and tell us what we were going to be doing the next day. We were briefed every time we went out. We didn't know what we were going to do and where we were going.

Q. I'm trying to find out what the major part of the briefing: where it was covered. How about your squad leader, did he give you a briefing?

A. Right, this was Sergeant LIAS. When he would get the information from the platoon leader, the lieutenant, he would come back to our bunkers and let us know what was to take place.

Q. From the way you described it, you were briefed by three different people?

A. Yes, I guess that is about right.

Q. Do you know which briefed you first, second, and third?

A. It was Sergeant LIAS. It began with our squad leader.

Q. He was the first one?

A. Right.

Q. And the platoon leader?

A. Yes, we would get the platoon together the next day to move off of the hill, maybe, into the LZ. He would talk with us and let us know what would be going on.

Q. Where did the company commander fit in there?

A. We got all of the platoons down together at the LZ, and then he would, of course, more or less repeat the same thing. The usual procedure: when the CO would get to the lieutenant, then it would come on right down the line.

Q. You heard this operation discussed from three different people over a period of 24 hours?

A. Yes.

Q. When the captain briefed you, was the whole company there? All three platoons at the LZ?

A. Yes. We were all there waiting for the choppers.

Q. Is the company commander's briefing much more than "Good luck. Let's do a good job," or did he go into detail at this particular time?

A. No, he didn't go into detail like that.

Q. Where did you get the majority of your understanding of what this operation was going to be about? Did you get it from Sergeant LIAS or Lieutenant WILLINGHAM or Captain MICHLES?

A. It was mostly from the squad leader. He was briefed thoroughly, and he would come to us at night and get the squad together and then tell us what we were going to do.

Q. Did he use a map?

A. Yes.

Q. You described these briefings as being in two or three different locations. The one was at the squad leader's briefing. Where was this? Was this in a bunker?

A. Yes.

Q. The platoon leader's briefing, that was down at the pickup zone?

A. We would also get the platoon organized there. This was not always a procedure with any lieutenant because he knew he had already told his squad leaders what to tell the squad.

He would say more about it as we would get there together to move down to the LZ, and he would always kind of lead his platoon down there to wait for the chopper to come in--

Q. (Interposing) And the company commander would be there at the LZ for anything that you might say?

A. Yes. He was there. We got there before him and he would come thereafter. We were all there.

Q. What instructions were given regarding the destruction of villages, the burning of hootches, and so forth?

A. Well, we were to leave nothing standing, because we were pretty sure that this was a confirmed VC village. Then, this type of operation, some of the guys in the company said you don't leave anything standing there. So I guess that can best answer your question that way.

Q. Were burning instructions given? Who was to do the burning? Was there a certain squad in your platoon, or was everybody supposed to do it? Was this covered in detail?

A. No, no, it was not.

Did you phrase that as different jobs each one might have had?

Q. Yes.

A. No, nothing like that, other than we were not to leave anything standing. We were sure this was a VC village, and if I can restate again, Captain MICHLES always told us to give warning shots. They are always a suspect if they start running across a field, and we were always reminded to fire a warning shot. If they didn't stop, of course, they would be shot down.

Q. On the questions of burning the hootches and stuff like this, it was instructed that these villages were to be destroyed, leveled, leave nothing standing. What about foodstocks?

A. You mean their food?

Q. Yes.

A. Well, we always gathered it up and put it on a pile, and then they would come in and get it and take it out. Never a lot of food did we destroy at all. The food was gotten together and then sent in on a chopper.

Q. What about livestock?

A. No, we didn't--

Q. (Interposing) No instructions on this? I'm talking about what you were briefed on, not what occurred. Were you briefed on the destruction of livestock or the destruction of foodstock?

A. It was not mentioned.

Q. You just used normal procedure?

A. Right.

Q. Am I to understand that the instructions for leveling the villages was other than normal procedure for B Company?

A. Yes.

Q. Did you ever have the instructions before or after that operation again? I mean this type of instructions where you would level the village?

A. I don't know exactly what you mean.

Q. You said that no village was to be left standing in this area, as I recall, and you said this was not normal procedure for B Company. I wondered if you had ever heard such instructions being given for any other operation?

A. No. When I begin to think about that particular Pinkville area on that operation, actually, we had never been on a mission like that before. All I know is, with us, we had heard this was a search and destroy mission. It was different, you know. And, of course, you know, you never realize what is going to happen. Now, this is my own thoughts here. When you hear something like this given, that this was

the type of search and destroy mission, I thought within myself, anything can happen. We are going to see all kinds of VC in there, and the first shot we were just going to go in there and just use our own judgment. We were instructed by Captain MICHLES not to, what you might say, shoot down anybody. I never did go along with that myself. I never could do that.

Q. You said that you never received this type of mission before. I want to clarify this. Are you talking about the area you went into, or are you talking about the mission itself that you went on, that you had never done before? Are you talking about you had not operated in the Pinkville area?

A. No, we had.

Q. You are talking about the mission assignment, that you had never had a mission assignment like this before, is that what it is? "Mission" is the word you used. Then when you used the word mission, were you talking about search and destroy?

A. Yes, sir.

Q. Did you ever get a search and destroy mission after March of 1968?

A. I don't recall any, no.

Q. Were there any special instructions other than normal operational procedure which were given concerning the disposition of the inhabitants of these area during this operation?

A. Well, any suspects, and I use the word "suspect," we always was to apprehend them, and then we would wait for instructions from the CO, whether he wanted to get him interrogated or something like that.

Q. This is normal procedure now, or is this special procedures for this operation?

A. This was just normal.

Q. Was there anything other than normal procedures? Any instructions concerning the natives of this area other

than your normal procedure of gathering them together for interrogation, picking out suspects, and so forth?

A. No, because the only thing I had already fixed in my mind this was VC. Like I said, I expected to be hit with everything they had because I believe we had received some fire as we were CA'ing in, and when we hit the ground we didn't know what was going to take place. Even our point man had a grenade threw at him by one, and when he hollered that it was a grenade, we kind of ducked, and we did receive some fire from this little bridge right up there from the village--

Q. (Interposing) You are getting ahead of me. Let me finish. We are still on the briefing. We are going to get to that. What you just stated was going to be a question regarding your psychological attitude before you went in the next morning and how was this developed in your mind, that you were going into an area that was heavy VC controlled or VC dominated or just VC. What did you expect to hit there? You thought you were going to hit a very sizeable force?

A. Right.

Q. Why did you think that this area--or what put this in your mind? Was this from a briefing or previous operation or from something somebody said? How did you think this was going to be a very critical operation from the enemy standpoint?

A. Well, from the briefing.

Q. From the briefing?

A. From the instructions itself, the briefing. From what we were told, this was a suspected VC place. In other words, he seemed to emphasize--

Q. (Interposing) Who?

A. The CO. This was a sure thing, you know. Now, whether you have got civilians or suspects or what, that was beyond my personal knowing. I didn't know, because you had been told these things, and, of course, we had to engage in anything. There seemed to be a little more emphasis or a type of getting it over to us that this was a little bit different this time. This was a sure thing.

Q. As far as you were concerned as an individual, did you have any different--were you a little more concerned about this operation than you would normally have been on other operations that you participated in?

A. Yes. I guess more or less I was. I would have to refer back to the emphasis placed on this particular operation. Like I said, we had done operations before in the Pinkville area, and every time we went in we would always get a bunch of men blew up or a leg blowed off by these booby traps. Actually, the best way I can describe that, every time the Pinkville area was mentioned I began to shake in my boots because that is a place nobody liked to go, and I will tell anybody that.

Q. You really didn't have to have much of a briefing on that area, from your background, from what you knew about it?

A. That's right.

Q. Do you recall the squad's disposition of your platoon? What did Sergeant LIAS tell you about which squad was going to do what? Was there anything stated on this basis?

A. Well, we were kind of paired off. We had what you might say an area on the map showing, like the 1st Platoon will be in this area, and then maybe the 2d Platoon, they gonna go in this area, CP group and all that. I think usually the headquarters group, they went mostly with the 3d Platoon. Well, the best I can remember, they spent quite a bit of time with the 3d Platoon because they had the LZ to secure also. All I know is their platoon was sent off in so many directions. Does that answer your question?

Q. Yes, your platoon went off by itself. What about the squads? Were any special instructions given to the squads in the platoon?

A. Our squad was told to take point. Actually, we had three men. Of course, this may be getting into something a little deeper that you didn't want to hear about.

Q. No, I'm not trying to give you the impression that I don't want to hear about anything you know. I was just trying to keep it in sequence, that is all.

A. Right. All I know is that I believe it was the first squad that was chosen to take point. Actually, we had three real good men that volunteered to become what we called the point squad.

Q. Yes.

A. And then whosever squad was designated, you know, to follow up, something like that.

Q. All right. Now what we are going to do now. Mr. HALL, is to brief you on what we know from the task force standpoint.

A. That's what I've been wanting to hear when I got here.

Q. Okay.

A. I was not told that by this specialist named MACHUSICK. There's a lot of things I don't even remember.

Q. Well, we're going to brief you from the standpoint of the task force and then show you an aerial photograph of the area that you operated in and tell you what we know up to a certain point, not so much from the B Company standpoint, but from the task force standpoint: when things happened and so forth, and this primarily is concerned with the first day. Then Mr. WALSH, who has been over there recently, will take a photograph and brief you on that, bring your mind back to this particular area, and you can ask any questions in the meantime. Then we'll get into some detailed questions on what you recall during those operations. Okay?

A. Right. I wonder if I can ask a question?

Q. Yes, go ahead?

A. I was wondering if I was going to be interviewed again with some other--I just wondered?

Q. You mean today?

A. Yeah, after I get through with this--

Q. (Interposing) It's quite possible, but--

A. (Interposing) Well, see, they just give me a badge down the hall there. I was just wondering.

Q. What kind of badge do you mean?

A. This is the badge. I reckon you are supposed to go through that door down there?

Q. Oh, well, that's just to get you in there--

A. (Interposing) I was wondering what it was all about?

Q. No, that's where our witness section is, and they may have some processing for you to do before you leave. This may be concerning your orders or financing or various things like that. You may have to go in there--may not. That is possibly the reason they gave you that badge, or you may have to go in there for other reasons. We don't know. It's not anticipated that you would have to go before another group today.

A. That's what I was thinking.

Q. Of course, sometime in the future this could be. You know, you never can tell. There are three different groups investigating this thing. Have you got any other questions?

A. No, I am a little tensed up.

Q. Well, don't be that way. Have you been questioned on this by anybody?

A. No, sir.

Q. Have you discussed this with anybody who was in the company?

A. Now, what do you mean "discussed"?

Q. Well, have you sat down in a bull session with anybody that was in B Company during this period and talked about this thing?

A. You mean recently?

Q. Yes.

A. No. No, I haven't. Me and Sergeant RUSHIN were just trying to pinpoint some of these things.

Q. You all came up on the same aircraft, didn't you?

A. Right. He just happened to walk in the airport and I was there. It's been a long time since I seen him because he was a platoon sergeant for quite a while. He was a likeable fellow, and we rode together. In fact, we had a room together last night.

Q. You all discussed this then, some?

A. Well, some. We didn't go into any details, because like I say, I was just depending on you to refresh my memory. Like I say, a lot of things I just wanted to forget.

Q. Yes, all right. Let's start with the question of whether or not you received any fire prior to landing on the landing zone as you came in?

A. I believe they did--the first chopper that went in. I heard some fire. Now, I don't know whether we'd received it, or it might have been our choppers firing. A lot of times, before a CA, the choppers would clear the way, fire into the wood line and so on. I've seen that quite a bit, and possibly that's where the fire came from. I think I do remember hearing some fire.

Q. Were you on the first or the second lift?

A. Probably the second. I know it wasn't the first.

Q. Were your doorgunners firing when you went in?

A. Well, I heard some firing.

Q. You don't remember whether it was coming from the aircraft or not?

A. Not the aircraft that I was in, no I couldn't--

Q. (Interposing) Was anyone firing when they left the aircraft that you saw?

A. No.

Q. What were the gunships doing at the time that you got off the helicopter? Were they firing anywhere? Did you see any gunships by the time you landed?

A. Well, they were the air security. They were flying around, and, well, they were making a pretty wide circle in the air there, and I think they might have been doing some firing. I believe they were. We heard it at a distance. Them being up there and all of that going on, that is what built the fear up inside of you, possibility of that being a VC village. That is why we were so tensed up and scared about this thing.

Q. How long did you remain on the LZ before your platoon moved out?

A. You are talking about when we were lifted from--

Q. (Interposing) Yes, on the LZ in the objective area, down near Pinkville. How long did you stay there until you moved out?

A. You are talking about Uptight?

Q. No, down here.

A. Where we CA'd in?

Q. Right.

A. We stayed there about, after we landed, we were there about 10 minutes, possibly, because we had to, you know, we already had our instructions of which way we were going to take the lead. That is just a vague remembrance.

Q. Did you see Lieutenant COCHRAN when he got killed?

A. No, I didn't.

Q. Did you hear the explosion?

A. Yes.

Q. Do you remember where you were when you heard that explosion?

A. Yes. We had just landed and there was a little bank there. I guess it was no more than 50 feet from where we CA'd in. We were walking down that trail and heard an explosion and then learned that Lieutenant COCHRAN had been killed and a couple of other guys messed up.

Q. You were walking down the trail?

A. Yes, I believe we were already on that trail that led into the village, and we came to a little old type of a house right there. We were trying to get to this particular trail.

Q. Do you remember passing under a gate that went up over the road? I believe it had some kind of writing on it.

A. I can't be sure. We might have. I don't remember.

Q. You don't remember?

A. No.

Q. Do you remember how far from the bridge you were when you heard this explosion?

A. I don't know. It was 300 or 400 feet, a pretty good ways.

Q. Did you hear another explosion a few minutes later?

A. I don't remember if I did or not.

Q. Did you know that another group was wounded by a mine or a booby trap a few minutes after Lieutenant COCHRAN?

A. Yes, I do remember that.

Q. I was trying to figure out when you hit the bridge. Was the first squad the lead squad from the platoon, aside from the point?

A. Yes, I believe we were.

Q. As you approached the bridge what happened?

A. Well, before we approached it, there was a little old house there, I don't know how far it was from the trail, but we heard our point man holler, "A grenade," and, well, I guess it was supposed to be a VC that threw it. They said they had seen him when he threw the grenade, but it never did detonate. I believe they did some firing on him, but I don't believe they hit anything. They did see him when he threw it, but like I say, it never did detonate. We continued to pursue on. We were headed toward that bridge.

Q. Did you see the point when they hollered this grenade was thrown? Were they in your vision?

A. Yes, I seen one of the men when he jumped to the side. It was Sergeant TITTLE. I believe he was one of the point elements there, him and TAYLOR and another young guy. I don't remember what his name was.

Q. HOOTON?

A. Yes, HOOTON was one of them. That would make four.

MR WALSH: Was it NEEDLE?

A. I don't know if it was NEEDLE. I thought his name was Sergeant TITTLE. I don't remember a NEEDLE. We had only four: HOOTON, TITTLE, and TAYLOR and this other young guy going back for his second time. He got with our company before we deployed out of Hawaii.

COL WILSON: When this firing started down here, you could see it? After this grenade was thrown, you said they returned fire to try to hit the guy who threw the grenade.

A. I didn't see anything.

Q. You didn't see the firing?

A. They did return fire toward the direction which the grenade came.

Q. How far from the bridge were they when this grenade was thrown?

A. Well, I don't know. I don't know if I could even--I would say about 200 or 300 feet, I guess.

Q. Was the individual that threw the grenade on the western side or eastern side of the bridge?

A. He was on the same side we was on.

Q. Did you ever see this guy again? Which way did he run? Did anybody find out what happened to him?

A. We never did know. We just pursued, you know, toward the bridge.

Q. When the point started firing, what was the action of the first squad? What did they do?

A. We all hit the ground after hollering "Grenade," and one of the point men, or all of them, did return the fire on him. When the grenade didn't detonate we just, more or less, you know, kind of scattered a little bit. We didn't go into any great thing about it, and we continued very slowly. Of course, the lieutenant wanted to know what happened, and we said that a grenade was thrown at us. So we got the word to go ahead and move on.

Q. Did you hear any sniper fire coming from either that area where the grenade was thrown or from the other side of the bridge? Was there any other firing?

A. I didn't hear any.

Q. All of the firing was from the point?

A. Right.

Q. Did you have any knowledge of some mortar rounds being fired in there?

A. No.

Q. What happened as you moved toward the bridge, as you again approached the bridge? Did you stop any more, or did you just advance over the bridge?

A. We just went ahead toward the bridge, and we went on over the bridge and then into the village.

Q. What village?

A. Well, can I show you this?

Q. Yes. This is Exhibit P-185 (coastal photo of Son My area).

A. It would be right here. We came right on over. It was along the bridge, across a body of water there (indicating). As we came across the bridge we didn't receive any fire at all from the village. That grenade is the only thing that got us upset and made us more cautious, so we went across the bridge. The bridge seemed to turn this way (indicating) into a small village.

Q. The road did, or the bridge?

A. No, not the bridge. The bridge came to an end. There seemed to be a bunch of trails over there, and it kind of turned right here (indicating).

Q. It turned south?

A. Yes, this away (indicating).

Q. It turned south, and where did that trail go? Did it go into a village?

A. It went into a village.

Q. How far from the bridge down the trail before you got into the village?

A. I don't know, maybe 100 meters, 150 meters, something like that.

Q. One hundred to one hundred and fifty meters?

A. Something like that.

Q. This platoon was apparently over the bridge by this time: the rest of the squad and so forth, the command group?

A. By the time we made this turn? Right. We were all there. The lieutenant comes up and--of course, we moved through the village in more or less a straight--

Q. (Interposing) A column?

A. Right.

Q. You moved through the village, and did you say the platoon leader came forward?

A. Yes, he was up there. We got there, crossed the bridge and got right there, I guess you could say the outskirts of that village. We could see them. They were visible as you come over the bridge. You could see them across the water there.

Q. See what, the village?

A. The village. You could see the hootches. We didn't see any people at all until we got over there, and I think just before you get into the first, second hootches there, you can see the people that were the inhabitants of the village there. We never even noticed them until we got that close.

Q. You had already approached the village and were in the village before you saw any people?

A. Right there at the outskirts. Right where you could see the first vision of the hootch. We did begin to see some people. They were small, and there was not many of them.

Q. How many would you estimate?

A. Some of them were over there on the ocean. They were back over here in the ocean. We found that out when we went through the village.

Q. How many did you see while you were there in this location?

A. I don't know, a dozen, roughly.

Q. A dozen, and these people were in the village?

A. Yes, and they were women and children there. You just spot one every once in a while getting water or something like that.

Q. They were not running?

A. The people?

Q. Yes.

A. No, I didn't notice anything like that.

Q. None of them running? What were they doing, going about their business?

A. Yes, just like nothing was taking place.

Q. They didn't seem to be concerned because you were there, your platoon was there?

A. No, there was a kind of an excitement there because the people would kind of get in groups when troops would move in like that. A lot of other villages we would be in, it was more or less the same way. They just would look at you and try to go on with their business and that was about all there was to it, every time we went into a village. I did notice that these people were kind of--when you would come across that bridge, you had to go up an upgrade here to the ocean, and we did notice there was quite a few women. There was maybe a dozen women there, and they had hootches right there aside of the ocean. They were up there, and I don't know what they were doing. I did notice that. I did see four women bunched there in the group, and we had been doing some shooting, you know, that I had already said, shooting when the grenade was threw upon us, so it would always terrify the people. They would always get scared. Who wouldn't with people shooting and coming in like that? They didn't know--I am not saying they were sympathizers or what. All I know is what we were instructed before we left; that is about it.

Q. When you mentioned some shooting, were you talking about shooting other than the point?

A. No, just the point, when the grenade was threw.

Q. When you got on the other side of the bridge, and as you went into this village, did you see any bodies over there?

A. No.

Q. You mentioned that this village was up on the rise or below the rise?

A. The terrain was not what you call altogether level because as you come across the bridge, it seemed to kind of rise up just a little bit. You had your hootch right there at the river, at the lake there, and it rose up a little bit and then you have your ocean on this on the other side.

Q. Lieutenant WILLINGHAM came up. What happened after that?

A. Well, we just moved on through the village.

Q. Which way?

A. We were still going south.

Q. South? This is north (indicating).

A. All right. We were still moving south.

Q. What was the purpose of moving through the village? Was the village searched, or did you just move through it?

A. Yes, it was searched.

Q. How was it being searched? What was the procedure for searching the village?

A. I don't know. I guess in every man's mind over there--VC--you are going to think of a male or a man, and you more or less look for the younger men, any kind of suspects that we could find there. We would always try to get men. We'd always say at a military age; that was the expression our CO used, Captain MICHLES. That is mostly what we looked for, but when we got into a village there was no one there like that. There was only women, old women, middle-aged women, and children.

Q. How did you search these? Was this done by squad or platoon, or how did you search a village? How did you search this village?

A. We would go inside the hootches and look. Any kind of bunkers would be checked out. Those four men were real good. They would go into those foxholes or a hole

there. You never knew if there was going to be booby traps there or not. It took a lot of courage to go into a place like that, and these four people did things like that.

Q. Were the point men going into these bunkers? Were they going in there?

A. Yes, they were going in.

Q. Were they searching them out?

A. Right.

Q. When this search was being conducted was this altogether the point doing this, or was the rest of the platoon engaged in this search of that village?

A. Yes. There were some of our elements, men of our squad, that was helping. I think we had four men up on point, and they were all doing their job, going into these bunkers. TAYLOR, he was always a morale builder to me. I use the word crazy because he was just a likeable fellow to be around. He was always saying something funny. He had more nerve; maybe he was just crazy. He'd go to these bunkers and these hootches. You know, he never could speak Vietnamese but he would act like he was one of those people. They thought he was crazy, I imagine. But that's mostly what they would do. If they seen a hole, they'd go in and check it out: hootch, anything like that. We all engaged in that, the checking out of the hootches. Just go inside and look around, turn up boards or lifting up boards to see if we could find any bundles of food, stuff like that.

Q. What did you find, anything in particular in this village?

A. No, it was just a whole lot of nothing there.

Q. Who did you work with in searching out the hootches?

A. Me and a fellow by the name of GARCIA, Cresencio GARCIA. He was in our squad also. He was one of my team leaders, you see. He was a specialist there.

Q. Did you know a man named HOLMES?

A. Yes.

Q. Did you by any chance search with HOLMES, this day?

A. We probably did. We was pretty much all together. Me and GARCIA, we was pretty close. HOLMES was, I remember him.

Q. How about FERNANDEZ? Was he fairly close to you or GARCIA?

A. Well, not particularly. He was the RTO for the lieutenant.

Q. You believe the search you made that day was with GARCIA?

A. Yes.

Q. Was it normal for you to break into pairs and search these houses?

A. Well, with me it was. I never liked to be by myself and--

Q. (Interposing) Two or more?

A. Right. We always thought it was the best, you know, to have a couple of men.

Q. How many hootches do you recall searching out in this village that day?

A. It might be something like six, seven, or eight.

Q. Did you hear any firing while the search was being conducted?

A. Yes.

Q. Where was the firing?

A. Well, our machinegunner, he was doing the firing.

Q. Was he firing into the village, or where was he firing?

A. Yes, he was firing into the village.

Q. What was the target? What was he firing at?

A. Just anything that moved.

Q. No provocation? You said you didn't hear any enemy firing in this area?

A. No. That's what you meant by provocation, no enemy fire?

Q. Yes.

A. No. I didn't hear anything, just our gun.

MR WALSH: Did the lieutenant set up the machinegun before you moved into the village?

A. Well, the machinegun was brought forward. We always made it a point not to let our machinegunner--that's one of our most needed weapons there; it's our firepower--to put him up on even in the first squad. He might have been placed like a point squad in the first squad. Maybe he would follow up in the second squad, something like that. But he was brought forward, the machinegunner.

Q. This is right after you got across the village, across the bridge?

A. Well, we were going into the village. We had come over the bridge, fixin' to go into the village. We were at a hootch, you know.

Q. And the lieutenant called him forward and told him to set up?

A. Well, I couldn't say directly, now, if the lieutenant told him. For instance, our machinegunner come up, and I knew that he was called to come up. And when he did, the machinegun was--he never, what you say, placed it in position or anything. He had it there in his hand. He was a pretty big guy anyway.

Q. And then he started firing into the village? Did everybody else join in firing too?

A. Yes.

Q. Well, what happened when people came running out? Did they keep firing at them?

A. Well, they were--yes, they were fired upon also.

Q. And the people from over on the ocean, did they come back over the top of the hill?

A. Yes, that's where I spotted these four women. They were up there. Of course, us up in the village like that, they were all terrified. But you see, as I said, the village wasn't so big, but there were trees, shrubbery, hootches. Maybe if one would run to another or something like that, you couldn't always tell what it was. You knew it was an individual running, but you couldn't tell if it was a man or a woman. And, of course, we engaged upon them whenever they would run like that.

Q. And then how long did it keep up? Until you couldn't see any more movement or anything?

A. Yes. Well, we got a call over the radio from the captain, CO. Like I say, we were told this was a search and destroy mission. Then the call come through the CO that we're not, what you might say, kill anybody. Because he pretty much stated that. He was a character like that. He let his integrity remain, for the saying, whenever he'd carry out an operation. When that call would come through, you know, it was just--well, we had already pretty much shot the village up.

Q. Did you hear that call come through?

A. Not directly. I did know that our RTO was speaking with him, and then our lieutenant give us the message when the radio came through.

Q. And what did the lieutenant say, as best you can recall it?

A. Well, just the same thing I just said. The CO, you know, said that he didn't want anybody--if they was suspect, to gather them up. We was not to kill anybody. Because, like I say, there was quite a bit of shooting had been going on with our machinegun. And he wasn't with us, so he didn't know exactly what was going on, you know, what all the shooting was about.

Q. The lieutenant was in between the squads, towards the rear you mean?

A. Well, he was in the front.

COL WILSON: You're talking about the company commander when you said he wasn't with you? Is that what you mean, or are you talking about the lieutenant?

A. The company commander. He had not come across the bridge yet. I believe you said they were down in this other area with the 3d Platoon?

MR WALSH: Right. So the lieutenant passed the word, "Don't kill anybody any more," and so then everybody cooled it from that point on?

A. We cooled it from that point on.

Q. And then you moved into the village after this order was passed, or was that after you were already in the village?

A. No, we did move on into the village and continued the search: search out the bunkers.

Q. Did you check out the bodies?

A. Well, as we did move on through, we were running out of ammunition, especially 60, M-60 machinegun ammo, and they flew un in some ammo and this explosion material. I don't know what they called it now, but anyway, they flew it in. You could rig it up and light a fuse to it.

COL WILSON: C-4?

A. Yes, stuff like that, and this TDT. Is that what it's--

Q. (Interposing) TNT.

A. That's what I was trying to think of. They flew us in quite a bit of that. And that's what blew the bunkers. We just flattened that village, and that was it.

MR WALSH: Who flew that in?

A. The choppers.

Q. Was it the battalion commander's chopper that flew that in?

A. I don't remember.

Q. Do you remember seeing that chopper land that had the explosives?

A. He pretty well landed to our rear. I might have did.

Q. Are you sure that that happened that day, or could that have happened the second day?

A. No, the second day--we done crossed the bridge and started into the village, and as he was using a lot of ammo in his 60 gun and all these--

Q. (Interposing) People running around?

A. Holes. You know, holes these people would get in: bunkers or whatever you want to call them. They would, when you needed something--they could have been a call. The lieutenant probably requested it, that we had a lot of holes up here that we needed to blow up. I think possibly it was the CO that had it sent in to us, because I don't think a lieutenant just calls up to the rear and have it sent out--and go through the CO. But it was sent in that very day. We hadn't been there, I don't know, a hour I guess, and then they had to fly us in that material.

Q. I asked you if you checked out the bodies of the people that had been shot before you went in. Did you check those out to see if they were military-age males or not?

A. Yes, there were a few laying there. There were no males.

Q. Mostly all women and children that had gotten caught?

A. Right.

Q. Did you do anything with respect to the bodies, police them up or get them out of the way or anything?

A. Well, we didn't touch them, if that's what you mean. We just left them laying there.

Q. About how many of them were there?

A. Well, I know I witnessed about three myself, three bodies.

Q. Where were those located?

A. Well, as you go through the village there, there's a little trail that leads over to the ocean; there's a pretty wide trail there. When I was walking it--see, we were still searching the village. Of course, the blowing up of the bunkers was still going on. That's when I seen these bodies there to my left.

Q. Now, when they were blowing these bunkers, were any people shot when they came running out of the bunkers?

A. Well, I didn't see this with my eyes. I would suppose they were. I don't know.

Q. How about the people over near the ocean? How were they dealt with? Did somebody go over there?

A. You mean the people that were on the ocean?

Q. Yes.

A. Well, this call came through. We cooled it there, and we congregated them together, the people. That was always the procedure: get the people together; probably interrogate them; see if we could find if any VC had been there, VC village, or what. We'd always--well, we all picked up, you know, "VC, VC". They knew what we were talking about, and they said, "No VC, no VC." But actually, that's the way they did speak, but we did congregate them up and put them all in one hootch.

Q. In one of the hootches?

A. Yes.

Q. Then what happened to them?

A. Well, I--already, you know, flattened the village. Well, that was it. We just turned them loose. We just didn't find anything. We got a call to move out of there. Why, I don't know. But we stayed there the biggest portion of that day. And then this is where we went north. We camped there that night.

Q. Did you find any booby traps around there in the village when you searched the village?

A. No. We didn't catch them 'til the next day.

Q. How many people did you have rounded up there when you finished searching?

A. Possibly 20.

Q. Twenty people?

A. Yes.

Q. Old women and children?

A. Yes.

Q. Did any of the men have a little fun with the women while they were waiting around in the hootches? Did you hear about anything like that?

A. No. I never one time seen that while I was over there. Like I say, if I had, I might have stopped them myself. I didn't see anything like that.

Q. B Company wasn't much for that sort of thing?

A. No. Like I say, we had--I really admired Captain MICHLES.

Q. Do you remember, when you moved north that night, if TAYLOR took one of the women along to use as point or guide? In other words, put her out in front?

A. Well, he might have did, because he was the kind of fellow that was pretty good at that at that particular time. Like I say, he might have. Most of the time they'd go willingly. You didn't have to force them. You could kind of give them a direction, and they would more or less do as you said.

Q. You don't have any recollections, though?

A. No. I may not be thorough, I could, now.

Q. Tell me some more about what you mentioned a minute ago about Captain MICHLES being pretty strict on things like raping or using women and things like that. Do you remember him ever talking about that or getting on anybody about that?

A. Well, I don't know. I guess he just laid down a type of standard there. We all knew that he was a man of a military mind, you know. He was just military all the way with him. I just assumed this--if you want to call it a compliment or what, he was just a decent man. His attitude was always pleasant. He was a go-getter as far as operation was concerned. He went according to the book, if I could phrase it like that. That's the best way I could describe him. He didn't go along with molesting and things like that.

Q. Do you think it was mostly that everybody had the idea that Captain MICHLES wouldn't stand for molesting women and so nobody tried it?

A. Well, I don't know, it's possible. I couldn't say what's in a man's mind. I don't know.

Q. Well, I'm just trying to get your opinion, that's all. Did you hear any discussion that night or afterward, talking with your buddies, about how many people that had been killed in the village during the day?

A. No.

Q. What would be your guess?

A. Half a dozen, I guess.

Q. No more than that?

A. No.

Q. You said you had seen three bodies at one point. When the machinegun was firing into the village how many people could you see get hit in running around?

A. How many people did I see?

Q. Yes.

A. Well, I didn't notice what you would say as a number of them. As they run, of course, they were shot.

Q. About how many of those would you say?

A. I don't know, possibly a dozen. They were just running, so terrified and excited.

Q. Do you recall if the order from Captain MICHLES to not to kill anybody any more, had that order come through after all the people running around had been shot and you had finished searching the village? Do you remember how far you had proceeded when that order came through?

A. Yeah. We had already, like I say, done quite a bit of firing, grenade throwing into the village itself.

Q. Had you finished searching the village?

A. We had not. We had not gotten to the middle of it, I don't imagine. We were still there at the entrance of the village.

COL WILSON: I am trying to get this picture a little clearer. You said that the machinegun was firing into the village. Elements of your unit were already in the village or on the edge of the village. Was the fire directed to any particular portion of the village, or how close was the fire to your squad? I don't understand the location of this gun in reference to the village and the location of the 1st Platoon personnel when this machinegun was firing.

A. Well, just as we begin to make an entrance into the village, we would always clear an area a lot of times. We would use this procedure quite a bit. We would clear an area with a machinegun, because it had a rapid rate of fire and so on. But when it was called up our elements was not already getting into the village. We had not already went in.

Q. You were not in the village at this time?

A. We was not. We were right there at the hootches just as you begin to go in there. Then the machinegun was called forward. It cleared the village. That's when he done all of the shooting then. After this, I don't know, it used quite a bit of ammo, then that was when we were told we were going to have these explosives coming in. We waited on this before we proceeded in, because we didn't have anything to-- or TAYLOR, he might have run into one of these foxholes and maybe dropped a grenade in or something like that. He and the point men was not in the way of our fire. The machinegun position was right there at the front.

Q. The machinegun fired into the village quite a bit of ammunition before the village was swept. You mentioned earlier that the people in the village were sort of mingling around like business as usual and didn't seem to be too excited. You must have seen this before the machinegun started firing.

A. Yes, possibly, I did. They might have been doing some washing or something, just their household chores.

Q. The people were clearly visible then from the point where the machinegun was firing?

A. Well, some were. Like I said, I did witness four women who were kind of on this bank there. I did seen them myself. I had other men that were ahead of me, and I, of course, couldn't speak for them. I did see kids, I did notice some kids that were kind of running with a little fellow running along. But actually, when I seen those women, that's the only real picture that I actually got of the people there.

Q. What was the range from the gun to the target? From the gun to the village, what was the range? How far away was it?

A. Seventy-five, maybe a hundred meters, something like that.

Q. Pretty close?

A. Yes, it was close.

Q. At the time the gun started firing, these people had not moved to their bunkers or anything like that? They were still mingling around the village?

A. Well, before we crossed that bridge, there was already some firing going on. They probably seen us coming. They might have got a little bit upset there. That was usually the way of the Vietnamese people. They would carry along just like they were minding their own business. I don't know of anything--you just hear, you know, not wanted or something like that. You know, ignored is what I'm trying to say. We did come in and start shooting like that, and there was quite a bit of excitement. Of course, we are already closer to the village, and there was a lot of excitement going on.

Q. I want to give you the picture I've got in my mind to see if it's correct. You crossed the bridge; had some fire fight at the bridge--not fire fight, but there was firing from U.S. forces at the bridge; crossed the bridge; went 150 yards and approached the edge of the village, the outskirts of this village; machinegun was brought forward, and right before the machinegun went into position you could see the people in the village moving around, as you have mentioned women and children; and the machinegun starts firing. Is that the correct picture?

A. Yes, that is about the picture that I could give.

Q. How far was the machinegun from where you stood?

A. About 15 or 20 feet, I guess.

Q. Who told that machinegun to commence firing?

A. Our lieutenant, he was up front there. I couldn't say whether the lieutenant himself told him directly to bring the machinegun. All I know is that the word came back. He said, "Bring the machinegun up forward," and when he did, he--of course, that was the usual procedure for clearing a place.

Q. Who was on that machinegun team?

A. MILUS, MADISON, and I think STEINBRECHER might have been. There was another fellow we called "Huey," but I

don't know his name. He was a kind of bulky-like fellow, huge, you know, big boned. I don't remember his name.

Q. We have some previous information that maybe the machinegun element may have been composed of MADISON, WARNER, STEINBRECHER, STRACHAN?

A. Right.

Q. Was that usually the machinegun squad, or were any of those people not in the machinegun squad?

A. No, all of those people--there is one in there--would you repeat those names again?

Q. MADISON, WARNER, STEINBRECHER, STRACHAN.

A. Yeah, all those were in there. Also, we had a machinegun--well, he was given the machinegun while we were in Hawaii.

Q. Who?

A. MILUS. He was a gunner himself.

Q. MILUS was in the machinegun squad? When the machinegun was brought forward, and MILUS was with the gun, who else was with him?

A. MADISON.

Q. MADISON was with him, and was STEINBRECHER with him?

A. He might have been. There is another named GONZALEZ. If a man would get hurt or killed or something he would have to be replaced and GONZALEZ, he made gunner, I think, after MILUS did. STEINBRECHER was in this group. Now, whether he was there or not, I don't remember.

Q. I don't want you to say so unless you have a pretty good picture of that.

COL WILSON: The hearing will be recessed.

(The hearing recessed at 1230 hours, 27 January 1970.)

(The hearing reconvened at 1325 hours, 27 January 1970.)

COL WILSON: The hearing will come to order.

RCDR: The following persons are present: COL WILSON and LTC NOLL.

COL WILSON: You are reminded that you are still under oath.

Just to be sure that I've got it fixed, you said that there was an order to--and I'd like to try to remember what this order was--not to kill people, or what--that came down about after most of the firing had been completed.

A. Well, I just assumed it meant, you know, not to, what you might say, destroy anything. I just suppose that was people and hootches, you know, the same thing. That's just how I accepted the order when it came down.

Q. You don't remember exactly what it was, what the order said?

A. No.

Q. And you said that you were about midway through the village when this order came down. I'm talking about the platoon, not you as an individual.

A. Well, we had just entered into it. We wasn't what you say, midway.

Q. You just entered into the village?

A. Yes.

Q. Had all the firing stopped?

A. Well, that was at the entrance of the village where the firing was going on, and the machinegun was called to the front. The firing commenced. And then we had went through quite a bit of firing there. We didn't go on into the village. We were still there when this call came down not to, you know, destroy anything. That meant killing, any needless killing.

Q. Well, what I'm trying to determine is, was the firing going on when this order came down, and did it stop on that order, or had it stopped before that?

A. It was going on when the order came down. And then when it came down, it stopped.

Q. Was this order passed down to the squad leaders, or was it just yelled out from somebody?

A. The order?

Q. Yes.

A. It came in on the radio.

Q. It came in on the squad radio?

A. And lieutenant told us--

Q. (Interposing) Over the platoon radio, then?

A. Right. Over the platoon radio. And the lieutenant got the message, and he turned to his platoon, and he says that we're not to kill anybody, you know, needless.

Q. Okay, to the whole platoon.

A. To the whole platoon.

Q. And the firing stopped at that point?

A. Well, not altogether. There was still some firing that was going on, cause there was still a lot of commotion, a lot of people moving around. We didn't know right off whether it was a male or what. There was still excitement going on, but it did decrease tremendously when the call did come in. Everybody began to kind of cool it.

Q. I thought that there weren't too many people around there when that firing was going on.

A. Well, like I say, there was, I said, about a dozen out of the whole thing. That's about all I seen. I wasn't what you would say at the front. The point was moving up there, and the machinegun crew was up there then.

Q. Now, after the firing and when the searching started, and the searching of this village occurred after the firing had stopped, from what I understand, then did each squad have a particular sector of the village that they were to search, or how was this done?

A. Well, no we didn't have, what you say, a particular sector. We all knew that we were going to search it. Most of us would kind of pair off. We had our squad leader, of course. What I'm trying to say is that I don't recall any direct order from the lieutenant about, "You take this portion; you take that portion." As a platoon, we were all there together, and our squad leaders just assumed the responsibility of taking their own men maybe in this direction. Like we would always hear the order, "All right, first squad, let's get together. We are going to search this part." Sometimes the squad leader would take it upon himself to do that because we knew, as far as we could see, it wasn't a tremendous village, and we could always see our own men. We had the water over to the right and the ocean over to the left, and it didn't look like too big of an area. So we just more or less split up, all squad size.

Q. Now, were you told which huts to search? Your pair, you and the other?

A. Not directly because they were all bunched up there together.

Q. How long did it take you to search these hootches, you and GARCIA?

A. Well, we were there the biggest portion of the day.

Q. Did you stay in that village?

A. Yeah, just about all day.

Q. And, how long were you, yourself, and GARCIA involved in searching before you stopped searching?

A. It might have been 2, 3, 4 hours.

Q. That long?

A. Like I say, we were there all day.

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Q. No, I don't mean how long did you stay there. I mean how long were you actively searching?

A. Oh, maybe a couple of hours.

Q. Two hours. How many hootches did you and GARCIA search in that 2 hours?

A. Maybe--well, that's kind of hard to answer.

Q. Approximately?

A. Might have been seven, eight, nine, or something like that.

Q. Somewhere around ten or below?

A. Right.

Q. Did you find anything unusual in any of these hootches?

A. No. It looked just like a normal village.

Q. Did you find any people in them?

A. No. Most of the ones that I did search out, there were not people in them. They had already bunched up over there on the ocean. When all the firing was going on, you know, they kind of get together, kind of huddled like that together.

Q. You didn't find anything of interest in the hootches?

A. No, sure didn't, no.

Q. This figures out about four or five hootches per hour on the search basis with two men. Is that about right?

A. Yeah.

Q. You didn't find any bodies in these hootches?

A. Not inside the hootches, no.

Q. After you got through searching, and you were searching for about 2 hours you say, where did you go then?

A. Well, of course, we had the explosives. We had those flown in to us, and this was going on. Our point men and men of the platoon were blowing the bunkers. That was mostly left to our point men, blowing these tunnels. And we were still searching, and we maybe went back two or three times to the same hootches searching in case we overlooked something, because we thought we were looking for something. When you're over there quite a while and you see a VC print, if you look down on the ground you recognize it, see?

Q. Yes.

A. And, there were tracks all over the place. They were made by, we supposed, male--you know, men. And, so the explosions were still going on. The whole platoon had already infiltrated, you know, out of this little village here. My squad, we went over to the ocean there, and there were some people coming down. I was in this group. In other words, we must have got word to stay over there. There was a trail that led from the village on to the beach, and we stayed there, the biggest portion of my squad, after we had already done searching of the hootches. We had not burned them or anything, so we were setting there in case somebody came up. There were a couple of women that did come up the beach, and we took them into the village, you know, got the people together. That's how we had this little group of about, I don't know, about 20, like I said a while ago, all in this one hootch. You know, we didn't know what to do with them--

Q. (Interposing) So actually, you stayed in the vicinity of the village most of the day?

A. That's right.

Q. Did the platoon ever come back as a group, or did you move in and form a perimeter, or what was the disposition of the platoon?

A. Well, we were pretty much all scattered out. We had a lot that was still blowing the tunnels up. Finally, we all began to get together. We all staked out right there, well, it seemed like we stayed there all day. When we did form back up, they, of course, burnt the hootches

down this particular time because we were leaving out. When we left out, we were going in the north direction. Now, this was, I don't know, it could have been around 3 or 4 o'clock that evening. It was getting toward the later afternoon.

Q. At the time you got ready to leave the village, you burned it and then went north?

A. Right.

Q. Did you leave the people in the village, or did you take the people with you?

A. We left them.

Q. All of them?

A. Every one of them. And like I say, there could have been a woman that was put on the point, because we were always hitting these booby traps and things like that. There could have been one leading our platoon at that time. All of the people that were left, we just left them there.

Q. You didn't know what the body count was?

A. I didn't know.

Q. Did you ever hear any rumors about the number of people killed that day by B Company?

A. No.

Q. Did you hear any rumors about the number of people killed by the 1st Platoon?

A. No. I did hear that there was a child, a little boy, baby, or something like that in a tunnel, and a woman was pinned in there and she couldn't get out, and I don't know what happened to that.

Q. That was in this village?

A. Yes. That was when all of this was going on. She could have been trapped in there because they used these big old railroad ties when they would support those holes that they dug. I did hear that, but that's the only rumor that I know of.

MR WALSH: After chow, there apparently were some people killed over by the beach. Do you remember that?

A. No.

Q. Do you remember any firing over on the beach?

A. What do you mean when you say the beach?

Q. Well--

A. (Interposing) We were there on the beach by ourselves.

Q. Yes, I know what you mean. There was a rise in ground in the center of this thing when you came over this bridge and there were hootches and a trail was on one side of the rise of ground, and on the other side was the ocean. When I say the beach I mean over on the other side. There was some indication that about 2 o'clock in the afternoon--

A. (Interposing) Not to my knowledge. I don't remember anything like that.

Q. I know you've given us a pretty good description on this, but I just want to make sure that I am clear. I've drawn a little sketch, and I want to know if this is basically right. (Note: the sketch was not received in evidence.) You came across the bridge, and there was a little trail that went out, and it went south like that, and the ocean is over here. Is that right?

A. Right.

Q. Does the ground from the trail slope up to a high point to the beach? How far away from the trail is the top of the hill?

A. The trail that I mentioned?

Q. Yes, the trail that went down to the hootches.

A. Right.

Q. Between that trail and between the ocean, if you make this ocean here (indicating), the ground goes up and then down to the ocean again.

A. It's not a great incline there. It does go up. As you get about midway, or better than midway, from the village that this trail goes through, there is a break, a lot of shrubbery that goes over to the beach.

Q. How far from south of the bridge would that trail be?

A. About 150 meters, I would say.

Q. Is that trail just about at about the same point where those hootches start?

A. Yes, if you are walking down the middle of the village itself. As you get a little better than midway in the village it just make a real good left turn.

Q. Are the hootches on the ocean side of the trail, or are they on both sides of the trail?

A. They are actually on both sides. There are hootches right down in here (indicating) and they are all over everywhere.

Q. On both sides of the trail?

A. Right.

Q. Where, approximately, was the machinegun set up?

A. As you come around this going into the village here, we got about right here on the entrance of the village. I say the entrance to the village because we had not gotten into it, yet, because we had not begun to search it like we ought to. The gun was set up just about at the entrance.

Q. Set up right on this trail?

A. Right there (indicating).

Q. Was the point team forward of the machinegun, or were they right around it?

A. That is kind of hard to say. They were right around it, and they were out in this area, too. The point men are always forward.

Q. Were most of the hootches right around the trail, or did some of them go on down to the river to the right?

A. No. They were mostly more closer to the beach than to the river.

Q. Was the platoon spread out all along the trail going back to the bridge, or was everybody pulled up on line?

A. No. We still had men cut around the trail here.

Q. Was the lieutenant up front or in the back?

A. No. The lieutenant was up front where the machine-gun was at.

Q. Okay. That clears it up for me.

LTC NOLL: You don't know why the lieutenant deployed the machinegun at this time, do you?

A. Well, not as I know of. Like I say, this is just one of those missions. It could just throw out more fire-power, you know. It was just a way of clearing an area, you know.

Q. You didn't have any indication that you were going to receive hostile fire at this time, other than possibly a strong suspicion?

A. Yes. We were anticipating just about anything, because, like I say, we already had a grenade thrown at us.

Q. During the time of this demolition of the bunkers, when they would blow a bunker, did they examine the inside of it to know if there was anyone inside of it before they blew it?

A. That can be answered both ways. Sometimes they would check it out, and then sometimes they would just go ahead and throw the explosive in there, and then they would check it out. What came to his mind, that was just what he did. Like I say, they could work it either way.

Q. I think you mentioned four women up on the hill which sort of stood out in your mind. Do you know what happened to them?

A. No, I don't know what happened to them. I only seen them that one time. Whether anybody shot them or what, I don't know. I didn't even see that. They were just there together. That's all I can remember of them.

LTC NOLL: Were you close enough to the platoon leader to know if he sent any reports back to the company commander?

A. No, I don't.

COL WILSON: We got to the end of the evening there when the searches had been completed. You say you moved out before dark to the north and went into laager that night. Did anything of interest happen between the village that you searched and the laager position?

A. No.

Q. When you moved to the laager position, what did you do, dig in and set up a perimeter?

A. I think they flew us in some chow there. We were right there on the beach. We could vision the ocean. You couldn't see the ocean when you come across that bridge near the village, that one I was just talking about. You couldn't see the ocean from that, but you could hear it. That rise kept you from seeing that, but we left out of the village and went out to our laager position. We took some water on the way out and continued to find a night laager. So we got right there on the beach, and I believe they sent some of these Vietnamese police-type people in at that time. They might have went over to the CO, Captain MICHLES. I don't know. But I do remember them people coming in. When we got in our laager position there was a ship that was coming in to the beach, probably fishermen. We'd get these people not (inaudible-2 or 3 words) our platoon, and we'd get them down and that's when they brought in those Vietnamese interrogators to talk. But what went on down there, I don't know. I was on the beach still, I think, all of that time. They flew us in some C-rations, and we were waiting on that to take it back to the laager position right there on the beach. And that's about all I can say to that.

Q. You say on the way back you picked up your mortar? Is that what you said? Did you say that?

A. Water.

- Q. Oh, water! Where'd you pick this up?
- A. Out of a well.
- Q. Okay. This wasn't something that was resupplied?
- A. No, I guess we drunk more Vietnamese water than we did government water over there.
- Q. Okay. Did you see any of the mortar platoon over in that area that day?
- A. No.
- Q. And you moved up to your laager position? And you got there before dark or was it--
- A. (Interposing) Yes, before dark.
- Q. You mentioned a ship.
- A. Well, they was probably fisherman. Some Vietnamese people come in. It had male personnel on it. And we was always curious, and they came in there. We got up on the ship and they was a few kids that had come down further from the north out of this village. And so a chopper flew in, I don't know, three or four or five of these Vietnamese interrogators, and they was speaking to these people. Always interrogation, you know, that was forever going on over there. They air-lifted them out of there before dark while this was taking place and they flew us in some C-rations. I guess we walked around 20 to 25 feet, and right there on that rise I was telling you about, you know, kind of down a little bit, we had dug in, and that's where we laagered that night. Just our platoon.
- Q. When these boats were around with the VC--I mean with the Vietnamese on them, did you see a U.S., small U.S.--
- A. (Interposing) Yeah, a patrol boat.
- Q. Okay. Did you see any members of that boat come off the boat and get on shore and talk to anybody?
- A. No.
- Q. This was the first day now, right?

A. The first day, right.

Q. Okay.

A. Yeah, I remember the boat now. It was riding around out there. I don't remember it coming up to the--

Q. (Interposing) Did these people that were coming up to the beach appear to be sent there from this boat, U.S. boat?

A. Yes, now that you mention it, they did. We assumed that because they were sailing around out there. They knew that we were there, and we wanted to try to communicate with them, and I guess they got the picture that we wanted to talk with them, so they headed straight on in to us. They landed their boat right there at the beach. That's where they were interrogating, there.

Q. Okay. Then you had some Vietnamese National Police or ARVN come in there by helicopter. Do you remember how many?

A. Four or five, I imagine.

Q. Were they ARVN, or were they National Police?

A. Well, I believe these were the National Police because they wore nicer weapon, you know, holster-type pistols.

Q. Did they have helmets on?

A. No, just regular cloth hats.

Q. What color was their uniforms?

A. Just plain clothes.

Q. Civilian clothes?

A. For instance, one had on just regular civilian clothes. Now, possibly out of those others that were with him might have had on these camouflage looking type uniforms. But the weapons, you know, were like in a holster. They were real nice. And I guess possibly they were the National Police.

Q. Now, they came in by helicopter. Is this the same time that your rations were brought in? Or are we talking about a different helicopter?

A. No, this helicopter had--that's all he brought in. This first helicopter brought in the National Police.

Q. Okay.

A. And after all this was over with, a little later that evening we had a chopper come in and brought us some C-rations.

Q. You didn't get a hot ration that night?

A. No, not as I recall. I believe I picked up a case of C-rations myself and carried them over to our laager position.

Q. Did the National Police stay with you that night, or did they go back?

A. They went back.

Q. Did they go back on this helicopter that brought your rations out? Did they take any of these Vietnamese with them, villagers, natives of the area?

A. They might have. I don't remember if they did or not.

Q. Did you see any of these interrogations going on?

A. No.

Q. Did you hear about the interrogations?

A. I sure didn't because they were at the CP group, you know, where they were involved. I remained on the beach. There was some little Vietnamese kids out there, and I was watching that patrol boat sail around out there, and more or less security. We didn't all bunch up there. We had to pull security or something, and we were out there on the beach for that purpose.

Q. You couldn't see what was going on back at the CP then?

A. No.

Q. Did you have any communication with the CP?

A. No.

Q. Would you recognize any of these National Police if you saw photographs of them?

A. The fellow that was in civilian clothing, I might. I don't know. They all look alike, you know.

Q. Yes, but is there any feature that you can recall that you might remember about one?

A. Well, he wore this here, like I say, little cloth hat, and he had on just a pair of trousers and shirt, just civilian-type clothing.

Q. Any physical features, scars, or markings on the body or anything like that, that you might recall about one of these people?

A. No, just a skinny-type fellow. He didn't have any specific markings on him.

Q. You stayed there overnight. Who was out on the beach with you? Was GARCIA still with you?

A. Yes.

Q. You and GARCIA. Were you on an outpost or something, or was this part of this perimeter?

A. This was part of our perimeter.

Q. Who else was out there close to you besides GARCIA?

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

Q. Now, did anything happen during the night?

A. Well, you mentioned that woman awhile ago that might have been taken as a point, sort of a point. It seems like that rings a bell. Maybe she was there. She was with TAYLOR and HOOTON and them over there. They were close to the--they stayed close to the CP group because they was--

when there were a choice of point, you know, and you just didn't find men who volunteered to be point that way. We were proud of them. They were closer to the CP group. Our lieutenant--I faced--my foxhole position--I faced back to this village out here, back towards the south, and this was a kind of a newcomer, this guy that was in the foxhole with us. I think there was about three of us there, and I don't remember his name, so behind our foxhole, on the other side of the perimeter, I think TAYLOR and them was set up, and then our CP group was kind of in behind him there, so that's about all--

Q. (Interposing) Well, was any other Vietnamese that you can recall within the perimeter, aside from the possibility of that one girl that TAYLOR used for a point and the National Police? Were there any other Vietnamese in the perimeter there? You had a bunch of them turned over to you from the boat that came in from the boat. They didn't stay there that night? They left? How long were they in that perimeter?

A. Well, we had not yet formed a perimeter. We were just there.

Q. Yes, okay. How long were they with you?

A. Approximately 30 minutes. It wasn't too long.

Q. Okay. Did TAYLOR have a technique when he had either a male or a female out on the point like that to clear the way to put a rope on them?

A. Yes, I've seen that.

Q. What was the purpose of that rope?

A. Well, it was just to express his authority, I guess, over the--you know, in a measure that way. I'm sure it didn't mean anything. It wasn't, you know, to hurt them.

Q. Was this rope tied around the waist or what?

A. Well, I have seen it around the neck and--there was no specific spot that it would be tied--if they tried to run away or something like that.

Q. It was done not just in one case then? It was done several times, the use of the rope?

A. Well, like I say, I witnessed it more than once. Not all the time.

Q. Was this always with the point group, or was it used with other groups, the use of the rope?

A. Oh, no. Like I say, our point group did do that quite a lot if they could, you know, get somebody to lead a point that way. It being the usual procedure of anyone that had a point, no. I couldn't say that to be true at all.

Q. All right. I guess you sacked out that night. Did you sleep all night, or did you go on security at any time? Did you rotate or what?

A. Yeah, we rotated.

Q. Okay. You stated nothing happened during the night as you recall, at least as you stated?

LTC NOLL: How many fishing boats did you see come in? Do you recall?

A. Well, the only one that I remember was that that came to us.

Q. You didn't see any others out there?

A. Yes, there were more boats out there. They didn't stand out like this one particular one did.

COL WILSON: The next morning, what did you all do first?

A. Sir, the next morning, I think we were to meet back up with the rest of the company. I believe we went back down that trail. As we were moving, I was toward the latter end of our platoon this time because they never made one squad follow the point squad every time we went out because it was rotated. We routed down the trail, and we received some--I believe we received some fire from this bank that I was telling you about, to my left over to the ocean. Remember, we're moving back to the south now, going down this trail we had come up the night before. We was going back toward that bridge, so we received some fire. We didn't

know what was coming off. I fired one or two shots. So TAYLOR, like I said, he was a pretty smart fellow I guess. He always wore a bayonet on his rifle. He was probing, you know, the trail as we moved because we perceived they maybe booby trapped the trails. And we got back there--we'd already got back there to the bridge. We were pinned down right there at the--well, after we received this sniper fire we was pinned down, and I don't remember if we returned any fire to amount to anything, but our point men went on ahead to do some checking out, and about that time we heard an explosion, and we didn't know what was happening. That's when TAYLOR lost his--got his foot blown off there. He hit a mine with his rifle there at the bridge. And we finally got him out of there. A helicopter had to come in. I think the helicopter received some fire from this--I think it could have been toward the village, maybe off that bank close to the ocean. The helicopter was trying to get in. So after that happened our CP group or the rest of the company were trying to come across the bridge, and they had these mine detectors, and I think they blew something like two or three or four more mines coming across this bridge, 'cause they had it fully booby trapped after we had come across it the previous day. And then we--this is when we got on line, after we got TAYLOR medevac'd out of there. We kind of got on line, and then we swept this village again that we had just came out of it the previous day. We went on down further south, investigating, searching. I think it was just more or less all the company there together. If I remember it right, we were all together there at the time doing the searching. So after that, I don't remember any more after that.

Q. Well let me ask you a couple questions about that. You moved out from your night defensive position, south. Did TAYLOR still have this girl on the point? Do you know? Do you recall?

A. No, I don't. I believe he let her go the next morning.

Q. And as you moved south you received fire before TAYLOR hit the booby trap?

A. We did receive some sniper fire. I believe I'm correct there. My memory's not too good, but I believe we did receive some fire there, from our left, from over toward the ocean where that little rise is there. You never could

see anything, and, of course, he started poking around, you know, for any mines and booby traps around the bridge, and that's when he--of course, this explosion went off. He was hurt real, you know, bad.

Q. But the fire must have stopped if he was out there probing around.

A. Yes. See, we received the fire--a lot of cases we would have received the fire, and we would return some fire, and that would be all there was to it. If you have been shot at like that you don't know who is still out there, and if you stand there up you don't know whether you would get shot at or what. A lot of things would go through your mind. The firing did stop. I think we did return some fire, our point element, and I might have even returned some myself. I never did see anything. We just had a general idea that they were in this particular area.

Q. Did you see TAYLOR when that mine went off?

A. I didn't, no.

Q. Did you see him after the mine went off?

A. They had him in a poncho, and I seen him when they loaded him on the chopper.

Q. Did you see where the mine was that wounded him? Was it in the road or the side of the road?

A. This is hearsay, but it was kind of on the side of the bridge.

Q. You say you think they detonated three or four other mines that were in there?

A. That's right, because they had those mine detectors and they would mark them with a piece of tissue paper for the other group, and when they all got across, they would detonate them.

Q. When did the rest of the company stop crossing the bridge: how long after TAYLOR was wounded?

A. Immediately.

Q. Immediately?

A. Well, it was 2, 3, 4, or 5 minutes. Right away.

Q. Was there any more fire after TAYLOR was wounded?

A. I don't recall any.

Q. How long did it take for the company to close across there? Or were you in a position to know that?

A. I was back toward the back. I really don't know.

Q. The helicopter that picked up TAYLOR, did that helicopter receive some fire?

A. Yes, they might have received one or two sniper rounds. Everybody that had a hold of TAYLOR had to hug close in kind of in a stooped position, trying to get him on there. And as I recalled, I believe there wasn't more than one or two rounds that did come in on the chopper. We perceived that it was coming out of that village.

Q. Did B Company cross by that time, or did the chopper come in before B Company crossed the bridge, the rest of B Company I mean?

A. The chopper came in right away. I believe they were about ready to cross the bridge. They were approaching it. They had already gotten TAYLOR gone from there.

Q. They were crossing the bridge then?

A. Right.

Q. Were there any other supporting weapons used for this instance over there? Was there any artillery, mortar, or gunships?

A. No, I don't recall any.

Q. You don't recall any gunships coming in there?

A. Yes, I do now. We did have some gunships come in right after this. They were pulling security on the chopper that just come in. As we were on line there--they had gotten TAYLOR out already--we were on line there and

the chopper came in behind us, and this is when they started firing on this village.

Q. They did begin to fire on the village?

A. You know, clear it. We had already received the sniper fire.

Q. When you say they came in from behind you, do you mean they came in from the north.

A. I couldn't be precise, but I do know it came from our rear direction.

Q. Was it one, two, three, or four, or how many helicopters were there?

A. I don't know, there was not a mass of them. A small number, maybe one or two.

Q. What did they do? Did they make a sweep of the village or a fire run?

A. Yes, they started firing from our rear. We could hear the popping over our heads. They made this sweep here. We stayed there for awhile, and I guess the CO told, Captain MICHLES told our lieutenant to go ahead and move on through the village as a company. I think we all went through the village together.

Q. You were the first platoon of the company that morning to go through the village then? No other platoon preceded you?

A. I don't know if we were the first ones or not, because by that time the whole company, I believe, was together.

Q. You said you saw three bodies the day before. Did you pass by the location where these three bodies were, that morning?

A. No, they were in on this trail that led from the village over to the ocean. They were on the side of that trail there. All of the bodies were gone.

Q. Did you go by that east-west trail?

A. We just crossed over it. I did look up through there, but I didn't see any bodies. They policed them up.

Q. And you kept moving south?

A. Yes, we moved on south.

Q. Were you on the beach side, or were you on the west side of this little strip of land as you moved south?

A. We were pretty much in the middle. That's where I was. That was my position. I was more or less in the middle, the river on the right and the ocean on the left, walking right down the center, the middle of the village itself.

Q. I mean all the way down as you began moving south after you left the village. Did you stay on the beach or did you moved over on the right by the river or what?

A. More or less by the river, yeah.

Q. What happened at these other villages as you moved to the south? Anything? Did you run into any more--

A. (Interposing) I have no knowledge of that.

Q. Did you run into any more Vietnamese down there?

A. No.

Q. Have any more firing down there? No more firing?

A. No.

Q. How about destruction of the tunnels and the bunkers?

A. I don't recall any that day, because we'd already pretty much blew them up that previous day.

Q. I'm not talking about the original village. I'm talking about after you left there and started moving to the south.

A. You mean continued on south?

Q. Yes.

A. I don't remember too much of that any more. I do know we went deeper and deeper, still, you know, walking on the side of the ocean. It being on the left, we were walking kind of down toward the middle checking out hootches. We went on further south, but after that, nothing really stands out in my memory as to tell you, because I just don't remember that.

Q. Do you remember destroying the villages down that way as you went south?

A. No, I sure don't. I know that I didn't engage in anything like that.

Q. No, I mean do you remember any of the villages burning as you moved south?

A. No, I sure don't.

Q. Do you remember when you hit the southern tip of the land down there by the river, where the river went into the South China Sea?

A. No, sorry, but I don't remember. Like I say, nothing really stands out in my mind as we moved south.

Q. Do you remember when B Company crossed the bridge if they had any Vietnamese National Police or ARVN or Popular Forces with them?

A. I don't know if they did or not.

Q. You didn't see any?

A. No. I do recall the--we did move quite away south. We got on a trail that led us all--it actually came into the ocean itself. Maybe that's what you're talking about. I know when we got to the ocean we couldn't go any further. I do recall that. We moved down this trail, and it was a wide open space is what it was. There was a bunch of hootches. We did start burning some more hootches. We

pretty well, you know, we destroyed quite a bit of hootches that particular day. And whether there were any suspects taken or what, I don't know. Like I say, there was forever-- they'd pick up one or two and they'd get interrogators in or maybe send them in or something, a suspect. But we did burn quite a bit of villages as we did move on further south. And as the trail just give out, we went through the last portion of the village there into the ocean. We stayed there a little while, and then began to go back, and we laagered in that night.

Q. As you moved south and as you looked over to the right, over on the other side of the river, did you see any villages burning over there, or did you hear any firing coming from over in that direction?

A. Well, I could have. I couldn't be sure.

Q. When you got to the southern point, do you remember a helicopter coming in there?

A. I don't remember a helicopter.

Q. And what happened then? Did you turn around and come back?

A. Yeah, we got there, stayed there for just a little while, and we just, what you might say, retracked. It was a long stretch of a trail. It was real hot that day, and we just retracked later that evening back up to--well, I don't know, back up toward the north there, and we had not went through that village, I don't think, again, where the bridge was there, and we laagered in that night, and they did serve us hot chow that particular night. So that's about what I remember to that question.

Q. You did get hot chow that night?

A. I believe we did. We did have a chopper come that night.

Q. Did you as an individual get any resupply of anything besides getting the chow that night? Did you get anything else?

A. Well, they might have give us some sodas or--

Q. (Interposing) Well, I mean besides rations.

A. I don't remember anything.

Q. No one was issued equipment, ammunition, or anything like that?

A. No, I don't remember that.

Q. Do you remember any demolitions being brought in there? Do you remember any ammunition being brought in?

A. Grenades, I think. They brought us some grenades.

Q. Fragmentary grenades?

A. Yeah.

Q. Anything else? How's the M-60 ammo? Did get resupplied, or did you get resupplied before--

A. (Interposing) We could have. I don't remember, you know, directly. I couldn't tell you to be sure. We probably did because, well, just about every time a resupply would come in, you know, we always had to make up a list. It come from our team leader to squad leader, from squad leader to platoon leader, you see. That's the way they would work that. If we didn't need it, we didn't get it.

Q. Were you a fire team leader?

A. No, I wasn't. I don't think I was at that particular time.

Q. Who was you fire team leader at this time?

A. It was GARCIA.

Q. GARCIA was?

A. Yes.

Q. How about these National Police? Did they go down there and stay with you that day?

A. They could have been with the CP group. Well, see, we always had someone that could speak Vietnamese. We always had someone there. We even had a little ole guy named Randy, we called him, Vietnamese. He would stay with our platoon, in our squad.

Q. Was he out there that day?

A. I don't remember if he was or not.

Q. Did you see a photographer out there that day with a MACV insignia on his sleeve?

A. There could have been.

Q. I mean did you see one?

A. I can't be sure.

Q. Did you see any strangers that day?

A. No.

Q. This guy Randy you're talking about, was he with the company during this operation?

A. Well, I hope I haven't got him mixed up with when I was infused with the 198th, and I believe I have. Randy, yeah, he was with us when I infused with the 198th. Like I say, we would have a Vietnamese interpreter with us at all times. But I think Randy come along whenever I was infused with the 198th.

Q. When were you infused with the 198th?

A. May. I was gone by May the 1st. I was in Duc Pho by May 1st.

MR WALSH: After TAYLOR got his foot blown off, were your people pretty upset? Did everybody take it pretty hard?

A. Yeah, especially the other point man. I think his name was TITTLE. He took it pretty hard because, like I say, TAYLOR was kind of a--he was bold. He had a lot of courage, and there seemed to be--well, after he--after this

happened to him we just didn't, what you say, have a real good point team after that. I'm not trying to be prejudiced, you know, because they were all real good men, but, yes, even I felt pretty bad after that.

Q. We've had some indications that everybody was, at least some of the people in the platoon, were pretty upset when he got his foot blown up, and they did an awful lot of shooting going down that peninsula that day. Is that the way you remember it?

A. Well, yeah, they were. They were pretty upset. I can be--in other words, I don't know if I'd be truthful if I would say that there was quite a bit of shooting going on. I do know that after this happened there seemed to be a lot of, you know, morale going down and a lot of--I don't know if we'd call it hate or revenge or what--built up inside of the men and just get you know, plum mad, just sick in revenge, I guess, but I'm not too clear on some things after that point, to tell you the truth.

Q. TAYLOR was a pretty popular guy in the company?

A. Yes, he was. You never caught him in, you know, bad, you know, morale. I mean he was always--his morale was always up. He was always cracking a joke, and he never took anything serious, you know.

Q. Well, those other guys on the point team or other people in the company, were they--would it be right to say they were shooting anything that moved during the day after that.

A. I couldn't, you know, to be truthful about it. All I know is, after that day we went into that village and all of that, well, that was, I was never actually in a situation like that myself. Of course, we had burned hootches in time past, and we received sniper fire going across a rice paddy or something. By the time you'd get up there you might see an old lady or--you never seen anybody that you could return fire on. In the village you seen somebody you give a warning shot, and if they run, of course, we had to stop them some way. We perceived that they were Vietnamese, or VC. We burned hootches, you know, before, but never nothing that great on that particular day.

Q. Well, that particular day they burned every hootch all the way down the village, right?

A. Well, I don't know if it was every hootch. I know that in that immediate area where we were, just before we went across that bridge, we didn't leave anything.

Q. How about the bunkers and things where people were hiding? Did the point team do a lot of dynamiting that day?

A. Right.

Q. All the way down?

A. Pretty large portion of the way. Like I say, right after TAYLOR got his foot blowed off and we got together, we had this supporting fire over here to come in. After they were through we kind of got on line--sweep a village, and we went through there, and then we went further south with the whole company this particular day. There was not a lot of excitement. We did burn more hootches that day, and they were bigger and more nicer-type villages than the ones we just left out of. Actually, it was--wasn't much of a village to begin with, you see, just old shabby looking hootches, but there were a few inhabitants there. These were a little bit nicer as you go on further south. These people done fishing and stuff like that, but we did burn quite a bit of hootches that day, quite a bit.

Q. How many people did you see get shot down in those nicer places?

A. I didn't see any, no.

Q. Did you see any civilians at all?

A. Yes. We saw some civilian people, just spotted them here and there. Like I say, they done fishing. They had their boats down there, and they would be working on their boats or be out in the--you could see a lot of the sampans out in the ocean.

Q. You didn't see anybody shooting at any of those people out there?

A. No, I didn't see any of that.

Q. How about the people using the dynamite? Did you hear that they had killed quite a few people that day?

A. Well now, whether they had dynamite, TNT, on that particular day, I don't know, but I do know there were a lot of grenades, fragmentation grenades, that were thrown in--when they came to a foxhole or something or one of the bunkers we would always clear it. We would throw a grenade in it and set the hootch on fire. As far as shooting there we did--in my group--squad--we did, we apprehended a Vietnamese man, but he was--in other words, he didn't show like he was ascares of us. Just like he--anything we said he would probably do it. So we kept him with us the biggest portion of that day, and we even give him some of our food. We got along real good with him, and we kept him with us the biggest portion of the day. He even helped us burn some of those hootches, and so that evening, of course, we turned him loose. We didn't keep him. That is about the only closest one that I remember getting to.

Q. Did you hear about anybody else getting closer to any of them?

A. No, I sure didn't.

Q. Well, in other words, after TAYLOR got it, as I understand it, you didn't see anything particularly different about this day than any other day, except that you burned a lot of hootches? Is that the way you remember it?

A. Yeah. Like I say, the morale went down when TAYLOR was wounded cause he was hollering, "Kill 'em, kill 'em, kill 'em," you know, when he got on the chopper, but like I say, he was a guy that spoke like that all the time. Well, I said all the time. He was just one those type of guys that was doing a lot of hollering. He was sort of like that, but that was because he was probably really angry and because of his foot, you know. It was all messed up. He was hollering that when they put him on the chopper. The morale really did go down. Possibly there was quite a bit of fire that went on after that, but we did get some support. Again, I have to go back to the choppers. They came and give us some more support, and then we went in to clear, but as far as seeing anyone shoot or any of that, I don't remember that whatsoever.

Q. Do you remember finding some booby traps or mines and destroying them as you were moving down the peninsula?

A. Yes, there was one that was found, one kind of a mine, but I only remember the one that was planted into the ground there. It was found by a point squad. I don't even if they were with our platoon or not.

Q. What kind of a mine was it?

A. I don't know.

COL WILSON: When you went into your night defensive position, were all of the platoons there or was one platoon....

A. All the platoon was there. We had formed a company-size perimeter that night.

Q. Did anything occur that evening that you can recall?

A. No, nothing that stand out.

Q. You just took up your normal defensive position and nothing irregular happened? Did you have any VC suspects in the perimeter that night?

A. No, not that I recall.

Q. Do you ever carry a camera?

A. A camera? Yes, I had one while I was over there. Well, I had it a few months after I was over there.

Q. Did you have any photographs from this particular operation?

A. No.

Q. Okay. You stayed in the night defensive position that night and nothing unusual happened. What happened the next morning?

A. Well, then we moved on back north, and we came through that village, still going on north. We came to another--well, as you go up north there, like I say, you run

into better villages. There is a lot of people. After we got in there, I don't recall anything taking place until we got there at that village. It was early morning, and we started rounding up people. We rounded up people I guess all day long. I have never seen so many people at one time. There were thousands of them. And so we're all getting them together, mostly women and children and old men, you know. And we were instructed to keep separations, you know, of that. But like I say, it was just hard to find a young male, military age, in a group of people like that. We did find some old men, 35 or 40, something like that. We didn't pay much attention. We had them going up palm trees getting us coconuts, you know. That morning, I forgot just how far we did walk on the ocean front there. It was just a normal day of gathering up people so they could be interrogated, and search the villages. That's all we were doing.

Q. Did you move the people from the villages to the beach or what?

A. We went into the villages and gathered them up. The villagers, they were right there on the South China Sea. They were right there on the ocean front. The villages go off in the trees. And it was more--well, I, for one, was walking on the beach there along with the rest of my platoon. When we saw people we went in and got them. Our men was all scattered out. We just pointed where they wanted to go. Well, by nighttime, we had called every one of the village people in, all down in this--closer to the south.

Q. Did anything unusual happen during the day while these people were being rounded up?

A. No, nothing unusual.

Q. Did you see any helicopters come in?

A. No. This was a tremendous place.

Q. Were you separated from the rest of the company most of the day?

A. Yes, as squads and platoons, we was sent out, you know, you might say, go on further, deeper north into the villages and get people. We found people of all kinds and sizes there, a lot of wounded people, young men with legs

missing, and we were just gathering up the people. We were gathering on this end and sending them out to the other end. That's why we accumulated so many people.

Q. What time did you join the company again?

A. Well, it was in the evening. It might have been somewhere around 3 or 5 o'clock that evening. We were setting up another night perimeter.

Q. Were these people still there when you got back to the company?

A. The people what we had gathered up?

Q. Yes.

A. Yes. They were still there at the village, only up closer to this area up in here (indicating).

Q. You mean they were on the south-southern part. Were they down on the beach?

A. Yes, I guess you could say they were right there at the beach. They had the hootches built right there on the beach.

Q. Did you see any of them get any medical treatment?

A. No.

Q. Did you see any helicopters come in after you joined the company?

A. Well, there might have been that one came in. I think the CO, Captain MICHLES, he was up where these people was being sent, congregating all these people together, and I think he was in this area because he had the other platoons out gathering up these people and sending them up to him to see if we could get a suspect out of all that group of people. He stayed pretty much in that area. There could have been a chopper that came in during the day. Like I say, we were real busy going into these hootches, into the villages, and on further into the villages gathering all these people up and then carrying them up there. That was just our job.

Q. Did you see any National Police or ARVNs there that afternoon?

A. No, I didn't see any of those.

Q. Did you see any of the military intelligence people there?

A. No.

Q. Do you know any of the military intelligence people?

A. No.

Q. Have you heard of Mr. JOHNSON?

A. What rank was he?

Q. He was a lieutenant, but I don't think he wore any insignia.

A. No, I'm sorry, I just don't remember.

Q. Did you ever know Sergeant PHU?

A. Sergeant PHU? The name, it does sound a little familiar but--

Q. (Interposing) C Company's interpreter, Captain MEDINA's interpreter.

A. No. I never met him.

Q. I have some photo exhibits here. Do you know anything about P-18, location or any individuals?

A. I recognize him.

Q. Who is that?

A. I don't know his name.

Q. The soldier?

A. Right.

Q. It's the only soldier in this photograph. Did you ever see either one of those men dressed in military uniforms? This is P-21.

A. I've seen him, the one wearing glasses here.

Q. The Vietnamese?

A. I've seen him, but I don't know his name.

Q. Where did you see him? Did you see him on this operation?

A. I believe he was.

Q. P-22?

A. I've also seen him.

Q. The American in the center of the photograph, did you see him on the operation?

A. I believe he was there. I can't be sure.

Q. Did you ever see this man interrogate a prisoner?

A. Yes, I have now. I have seen him.

Q. Where?

A. He could have been on this particular operation.

Q. Do you know that?

A. Say again.

Q. Was he?

A. Yes, I believe they were flew in one day that we were there. Yes, he has a real persuasive way about him, interrogating people. I do remember now. They were interrogators there.

Q. Did you see him use any unusual techniques?

A. Yes, I have seen him take and slap one of the ones he was speaking to, but only one time.

Q. Anything worse than that?

A. No, nothing worse than that.

Q. Did you ever see this particular area here? This is P-28.

A. They all look the same. I can't be sure. We done quite a bit of CA'ing and flying. We was real excited. One time we done so much flying I thought we was going to get something out of it, you know, as many hours of flying time. We thought we was going to get some kind of medal.

Q. Air Medal?

A. Something like that. We just had a few hours to go. We were pretty close to it, because we done a lot of it.

Q. That's pretty hard to get unless you're a crew member.

A. That's what they said, but you hear a lot of everything. But we done quite a bit of flying.

Q. What happened that night up there in the night defensive position?

A. Well, again, they brought us hot chow. I think we got, you know, through eating and digging around 7 o'clock that night. We were dug in there right by the ocean. And how this ocean is formed here, I could show you on this. I can kind of give you an idea.

Q. Exhibit 25?

A. This is going to be, let's see, the ocean--

Q. 1:25,000 sheet, whatever the exhibit number is. Exhibit MAP-4 (actually Exhibit MAP-6). This is the area that you're talking about, up here.

A. It does make kind of a big turn in here.

Q. Do you remember passing over some real sandy ground as you moved up to that area? Was it hard to walk in?

A. Yes. It seemed like the further up you went, the worse it got. Somewhere along in here (indicating) I would say that we were by the ocean right in here. We were on this parcel of ground. It was kind of rough terrain. Now, where we had those people congregated at, they were in behind our perimeter.

Q. What do you mean behind?

A. They were back to the north.

Q. This is north up here.

A. Well, it would be back south. They were back south of us. That's where we got all the people, and there weren't supposed to be any people to our front. Our company was formed something like this.

Q. In the perimeter?

A. In the perimeter, yes. We were facing, my squad's particular position was facing north. Like I said, we were served hot chow that night, and then about 7 o'clock we went down and started digging our foxholes. I'm not too sure about the time. I believe it was around 1900. We were facing the village that we had just got all those people out, toward the north, and so we started, of course, pulling our guard, and during the night--

RCDR: (Interposing) One correction here, Son My Hamlet map.

COL WILSON: It doesn't make any difference. I was just interested. We don't have a 1:25,000 sheet that shows that area except this one. He could be using any 1:25,000 map.

RCDR: The Son My Hamlet map should be Exhibit MAP-6. as opposed to Exhibit MAP-4 as you stated.

A. So we were dug in and I think we started pulling guard somewhere around 7 or 8 o'clock. There was three to a foxhole. To my right, over to the ocean, our machinegun was set up there on top of a hill. The terrain was not level. It kind of swooped down a little bit from the ocean. That's where we were dug in. There were three in the position that I was in. It was along toward the later evening, darkness--

I did hear some screaming or hollering or something that went on during that night hour. What time it was, I don't know. I did hear some firing. Another machinegun had fired. I thought of what it could be, but I didn't think any more about it. At about 0215 I just had come off of guard. Maybe I had been asleep for an hour, hour and a half, and GARCIA, he got ahold of my foot and was shaking me. He said we were being mortared. We were being hit at about 0215 with mortar fire. That's when MILUS was wounded, and then Sergeant RUSHIN and another, I don't remember his name, part of my squad. That's when we had two men killed and about three or four wounded, and I think some out of another platoon.

Q. MILUS killed and RUSHIN, ANDERSON, MILLSAP, MOSS, and HARTZELL wounded.

A. MILLSAP is one that I couldn't think of.

Q. He was in your squad?

A. Right.

Q. Where was this screaming you heard? What time was this, and where was it?

A. I don't know what time. I don't know if it was just--I know it was before midnight, I know that.

Q. Was it in a perimeter or outside?

A. No, it was outside, out of those people that were congregated. All of those people, like I said, we sent them back to this one particular location, and that's where the screaming had come from, and I heard a machinegun fire. What it was, I don't know. I didn't ask.

Q. These people were in the location that you described as being south of where your perimeter was. Is that correct?

A. Right.

Q. They're still there. Were they going to stay there all night?

A. I imagine so.

Q. Were they under guard?

A. I don't know if they were or not. They could have been. We didn't look to our--well, us facing north, I did remember one time I looked to my left. I think Uptight is over in that direction. I did notice some Vietnamese people, men, boy, couple of boys walking down this particular trail. And that's--

Q. (Interposing) After dark?

A. No, this was in the later evening. See, even around 7 o'clock it was still light. That's about all I could say about that.

Q. Well, did you see any helicopters come in, aside from the medevac earlier that day? Did you see any helicopters come in and bring some National Police or Vietnamese or anybody in there?

A. No, I didn't see it.

Q. Now, what about the evacuation of these wounded men. Do you remember a helicopter coming in?

A. Right.

Q. You had one of your boys wounded. Who took him to the pickup zone?

A. MILLSAP. He was the one that had quite a bit to do with that. He himself was wounded. He helped, I think, get MOSS in there. MILUS was killed instantly. He was mangled, but they got what they could of him in a poncho, and then they put him on a chopper, and then they got MOSS. He was bleeding real bad. Sergeant LIAS was the one that was trying to hold his head up. He was there in the foxhole with him. MILLSAP really stood out that particular night trying to help these men. He himself was wounded. He went in and I never saw him after that.

Q. Did you see him get on the helicopter?

A. I didn't because it was dark.

Q. So it was a little distance from you where they got aboard?

A. Yes. I guess it was something like 75 meters, 60 or 75 meters.

Q. Do you remember if the helicopters came in with any gunship escort?

A. Yes, we did have some support overhead because you could see the red lines of fire in the sky coming all around. I think they had a plane out there that night also. I don't know what it was. I guess they call it a spotter plane, but they did have some helicopters pulling security, guarding that one that was trying to get in there to dust them off.

Q. Do you recall Sergeant LIAS getting teed-off with a VC suspect or a Vietnamese?

A. Well, he pretty much kept his cool.

Q. At any time during this operation?

A. No, we would all get mad, you know, want to knock them around a little bit, but I never did see that from Sergeant LIAS at all. He pretty much was a very square squad leader.

Q. Now, did you see or hear of a Vietnamese woman badly wounded that day before dark being brought in and dusted off?

A. No.

Q. This was when they were firing or marking rounds for the night defensive fires, artillery, after that.

Q. It seems like I want to remember something like that, but I can't be sure. With Captain MICHLES, he done that quite a bit. He was always the type of captain--I don't know, that's why I say he stood out so much as far as I'm concerned. He was always mindful of these people. If they were wounded he would send them in. A suspect or anything, he would make sure they were treated right.

Q. You mean the Vietnamese?

A. The Vietnamese, yes. That's about it.

MR WALSH: You remember when you were moving north, up to the big village up north, on the 18th, the third day, you had an order passed along to stop the burning hootches?

A. Well, I don't recall that we even burned them to begin with--you know, and then you get--it could have been, but actually, I don't remember burning any hootches at all in that bigger village.

Q. How about on the way up north? Of course, I guess they were all burning until you got up to the bridge, and then beyond that, do you remember burning any more hootches as you moved north, pass the bridge and up into that area with the big village?

A. No, I don't remember any of that at all.

LTC NOLL: As you worked your way south on the 17th, do you recall the type of company formation that you used going down this strip of land?

A. Yes. It was more of a spread-out type situation, because you had your--well, there was big trail to begin with, and you had hootches off on the left and over to the right. It seemed like the--in other words, as this trail went on down moving south, the terrain had a tendency to get wider from that bridge I was telling you about. You only had just a short piece of land between the river and the ocean itself, but as you go on south it just seems to make a turn, and that gives you more land to the left, and so we were more or less in a kind of a scattered type form here. Hootches to our left and to our right, we searched them out and most of them we did destroy as we moved on.

Q. Did you notice the location of any of the other platoons in relation to your platoon?

A. None whatsoever, no.

Q. Is there anyway that you could fix the approximate time that you received the order, or that Lieutenant WILLINGHAM received the order, to stop the killing in My Lai (1), right across the bridge there?

A. You mean what time?

Q. Yes, what time of day?

A. Between 1030 and 1130, I guess. I don't think we had lunch yet.

COL WILSON: Was there any change in your operations after you came back to either Uptight or Barker? When you went back into the normal AO, did your operational procedures change any from the standpoint of destruction, burnings--any change to the operation, or did they go on as before?

A. That night after we were mortared there near the ocean we were choppered back to Uptight the next day. Like I say, from the very beginning, to us it was a search and destroy mission and all of a sudden it did--after that call came through from Captain MICHLES--I believe it was Captain MICHLES--him being our CO, it was just, you know, altogether a change there. In other words, just cooled with it.

Q. I mean after you got back, after the 19th, after you went back into Uptight for the next couple of months, as long as you were with Task Force Barker? Did there appear to be any difference in your operations than there was before the 16th of March, or were they the same?

A. No, I guess just the normal, ah....

Q. Same as before?

A. Just normal procedure.

Q. Do you have any knowledge of any investigations or inquiries conducted while you were in Vietnam after this operation concerning this operation?

A. No.

Q. Did anybody ask you questions or anybody you know questioned about this operation?

A. Not to my knowledge, no.

Q. Did anybody ever say not to say anything about it or to keep quiet?

A. No, nothing that I recollect there. Like I say, we never done anything like that before as far as going in on that type of operation, but I don't recall anybody saying not to say anything about it or anything like that.

Q. When you say you never did anything like that before going in on that type of operation, what do you mean by that?

A. I don't know. Just to stand there and see a machinegun, I don't know, just repeatedly fire into a village like that. In other words, anything that moves, you were to kill it, and we knew we were going to destroy or burn the hootches and everything. Of course, we had done that before, but never--well, this was a little bit larger than before. A hootch or two along, we received sniper fire. You would forever, you know, if you receive fire we thought it might be from this particular hootch, or maybe Charlie would stay up there, or something. We would go in there and tear it down. We wouldn't always burn it. We would tear the sides of the walls down or something like that. But it was one of unusual--on this particular mission.

Q. Now, do you think that this was a result of having been briefed before you went in there or something that developed after you got into the area?

A. Well, as I say, the instructions that were given to us, we knew that we were going to go in and destroy the village, because we were all anticipating that the VC were going to be in there, so any type of fire, anything we seen we would have to shoot it or it would get us. I don't know if that is the way you wanted it answered or not, but that is about the only way that I could.

Q. In other words, you think it probably had something to do with the briefing in your opinion, before you went in there and not something that developed as a result of casualties that you received and various things like that?

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Q. If I told you that the body count report from the 1st Platoon on the morning of the 16 March was 38, would you say that is an accurate count? The morning of 16 March?

A. Well, no. I can't say that would be accurate. Like I say, the only--I do know I seen three bodies, and there were others, I'm sure, in bunkers and probably in hootches, that I didn't see myself. So, as an individual, I can only say what I did see.

Q. Do you know if there was any abuse of marijuana in B Company?

A. Well, no. TAYLOR, he had a pocket full of something. I think HOOTON kept trying to tell him it was nothing but old smelly tobacco, and he kept saying it was marijuana. I don't know which one was right.

Q. When was this?

A. This was when we were at Uptight one time, and we went through a village, and he had a pretty good little bag of it. It looked like tobacco to me. I wouldn't know what it looks like if I seen it anyway. He said that is what it was, and he said how much it would be if he had it in the States, and HOOTON said it was nothing but tobacco, and I don't know which one is right.

Q. Do you know if there was any problem in the company of people using marijuana?

A. No, I never did see anything like that at all.

Q. You were never told not to discuss this operation?

A. I don't recollect anything like that at all.

Q. Do you have any documents or letters or tape recordings or photographs or anything that might assist us in building this picture of the B Company operations?

A. Well, the thought went through my mind, if I had my camera on that particular time to take a picture of a village that had been flattened like that, it would have probably taken it, but I didn't. This didn't go through my mind because, like I say, this was something of a really different type of operation, and I don't have anything.

Q. Do you know anyone who had a camera out there those 4 days?

A. No, sir, I sure don't. Quite a few of the boys had one, but as far as giving a name or anything like that, I just couldn't be right there.

Q. Do you have any further testimony?

A. None whatsoever.

Q. Do you have any further statements to make that might assist us in developing this picture?

A. Well, 1/20, I believe, I don't know who their CO was or anything, but while we were destroying this village, there was some more in another area doing the same thing, and it could have been 1/20, but I did hear that, and that is all that I know.

Q. When did you hear that?

A. This was on the same day we were destroying this village.

Q. What did you hear?

A. I just heard that another company, it could have been 1/20, they were doing the same thing that we were doing. They were destroying a village in another location when we were destroying this one.

Q. When you talk about destroying this one, are you talking about the village just south of the bridge on the 16th of March? That is the village you are talking about, because there were more, but it was at different times. Are you talking about the village where the machinegunner fired? Is that the one you are referring to as far as B Company is concerned?

A. About what I heard that night?

Q. No, you said at the time you were destroying this village, C Company was destroying another village. You are talking about the village where MILUS fired the M-60? Is that correct?

A. Right. I think they were, in some other area.

Q. The 1/20 was in another area?

A. Right.

Q. Anything else?

A. No, sir.

MR WALSH: What did you hear about 1/20?

A. Well, actually, I didn't even know, or it was brought to my remembrance. Sergeant RUSHIN is the one that did tell me that was 1/20 on another particular operation, but he brought this to my remembrance that this was 1/20. While we there at this village this other company was doing the very same thing. They had this type of operation going on also, and other than that, that is about all that I know.

COL WILSON: Mr. HALL, I request that you not discuss your testimony in this investigation with others, including other witnesses for this investigation, except as you may be required to do before a competent judicial, legislative, or administrative body. We ask that you not discuss your testimony. The only place this would not apply is if you are called before a legislative body or a judicial body or another board such as this one.

A. Right. It would have to be something like this?

Q. Right. This is an administrative board. We are trying to continue with the investigation without outside influence. We are trying to keep our testimony quiet.

Q. Well, I have been doing some thinking. Just like I started off awhile ago about that I heard about his massacre, and like I said, I haven't even heard of that until I mentioned Pinkville area and the specialist said that is what he was talking about, and you feel like now that you are not involved in it. It's just that you don't even know what to think too much about, and here you are a civilian and you are asked questions about something that took place, and I don't know, something like a nightmare, I guess.

COL WILSON: We appreciate your help.

(The hearing recessed at 1514 hours, 26
January 1970.)

(The hearing reconvened at 1302 hours, 2 March 1970.)

COL WILSON: The hearing will come to order.

RCDR: The following persons are present: COL WILSON and MAJ THOMAS.

The first witness is Mr. Homer C. HALL.

(MR HALL was recalled as a witness, was sworn, and testified as follows:)

Please state your full name, occupation, and residence?

A. My name is Homer C. HALL. I'm a truck driver with Harper Motor Lines: address is 6678 S. Expressway, Jonesboro, Georgia.

COL WILSON: Mr. HALL, as a recall witness, there are a lot of questions we are not going over, but what I want to do in asking you to come back is to give you an indication of what we have determined that happened on the 16th, 17th, 18th, 19th of March and see if there are any gaps in this that you might be able to fill after we build the picture as we know it. In other words, you may be able to recall some things, and this is the real purpose of having you back here, because you had a better recall than most of our witnesses. So with that in mind, I think I'll just start by giving you an idea day by day of what we believe happened and see if there is anything that you might be able to fill in. Now, when you were here before, you were briefed on the concept of the operation on MAP-4 there, weren't you?

A. I think so, yes.

Q. Do you recall this?

A. It looks familiar, yes.

Q. You were also briefed on an aerial photograph, a large aerial photograph, exhibit P-168.

A. Right.

Q. Since that time, we've got some new photography which I don't think you've seen. This is Exhibit P-217. You didn't see these did you?

A. It doesn't look familiar.

Q. All right. This scale is about a half an inch to one hundred meters.

(COL WILSON orientated the witness on Exhibit P-217.)

All right, we'll go over to our photos here.

(COL WILSON orientated the witness on the photos.)

There was an 0815 touchdown for the first lift and an 0827 touchdown for the second lift. The whole company should have been there by 0830, off the helicopters. Now, it was at 0845 when the first booby trap was tripped, 15 minutes after the last lift touched down, so the 2d Platoon must have moved out pretty fast, too. We're not sure of their formation. We believe that the 1st Platoon peeled off and went to Route 521 or to that major trail, about the same time that the 2d Platoon started moving up toward Pinkville.

A. Yes.

Q. I think everybody moved out about the same time. You weren't in column.- You just peeled off in different directions.

A. That's right.

Q. Next, before the 1st Platoon got to the bridge here, this booby trap had been tripped at 0845. That killed Lieutenant COCHRAN. It could have been that the advance element of the platoon was by the bridge, but I don't think so. I don't think you moved through there that fast. I believe you stated that there was a question of whether or not there were some hand grenades thrown in the platoon area.

A. Yes.

Q. That didn't go off.

A. No.

Q. If nothing else, that tends to slow you down?

A. Oh, yes.

Q. I would imagine that that point group was not moving too fast, anyhow, through this area?

A. Probably not.

Q. Now, we also found that there was a PRC-25 radio with the point, carried by JENKINS, or just right behind the point. The purpose of putting him up there was so that the platoon leader could have communication with the point, and then there was machinegun attached to the point, or following right behind the point, which was MILUS' gun. We estimate that it was somewhere around 0920 or 0930 in there that the 1st Platoon crossed that bridge. At least elements of the platoon crossed the bridge, and that prior to crossing the bridge the two rifle squads, the first and the second squad, built up a position on each side of the river bank while the point moved over, and then one squad peeled over and moved on behind the point. We don't know exactly which way it was. We have two different perspectives on this. One is that the point moved over the bridge. The first and second squads were sort of in line on each side of the bridge or in position on the side of the bridge where they could cover the movement of that point across.

A. That's right.

Q. Now, one of those platoons peeled and followed the point, and then the other squad followed that one. The story that we get in one case is the first squad--we won't pay any attention to the numbers--the first squad that crossed took up a security position on that far side of the bridge, on the west side of the bridge, as soon as they got over there, and the last squad moving over moved through it and followed the point on down into the village. The other story that we get is that one squad moved over across the bridge and just stayed behind the point and the last squad coming over established the security position on the bridge. Do you recall this in any way? Do you know what your squad did? Whether it followed the point? Can you think back on that?

A. It could have been our squad that was following the point, but I can't be sure. I do know that the point men were almost, well, all the time visible. We could see them and except for maybe when the trail bended a little bit. We might not always be able to physically see one of the point men, but from as much as I could say, we could see the point squad mostly all the time as we moved.

Q. Do you recall where Lieutenant WILLINGHAM was?

A. We were moving toward this bridge. He was behind us.

Q. You must have been in the leading squad, then, going to the bridge. Now, whether you kept that position going over the bridge is what I wonder. When you crossed the bridge, where was Lieutenant WILLINGHAM?

A. I believe he was still behind us.

Q. You probably were the first squad over?

A. Yes, we probably were, but I couldn't be sure.

Q. Now, just when you got on the other side of the bridge, what happened?

A. Well, we moved on up toward, well, kind of the out-skirt of the village and we stopped. Two or three of the point men, they did go on in and kind of move into the, you know, portions of the village. We stayed there, and Lieutenant WILLINGHAM did come up toward the front.

Q. How long after you were there did he come up to the front?

A. Oh, it could have been 10, 15, 20 minutes. I couldn't be precise.

Q. Had the firing already started?

A. No, the firing hadn't already begun.

Q. Well, let's look at this photograph a minute and see if we can figure this picture (referring to aerial photo, Exhibit

P-217). Now, do you recall the squads moving into position on each side of the bridge up on the river bank.

A. This is before we crossed the bridge?

Q. Yes. If you don't, all right. I just wondered if you did?

A. No, I couldn't.

Q. Let's look at this photograph very closely. There is a ridge that comes down here. Do you recall that, this big sand dune that runs all the way up and down the coast? This is the sea over here.

A. Oh, this is the sea?

Q. Yes. This is the beach?

A. Right.

Q. You crossed this bridge and you look ahead you should see a big rise?

A. Yeah, it rises up.

Q. When you cross the bridge, the trail moves toward the sea, right?

A. I didn't notice that trail running on up there. It seemed to be vegetated, you know, rough to walk on. It was rough terrain up toward there. The reason I remember that so well is when we were, I mean it was the next day, after we had landed, we were moving back toward the bridge where TAYLOR stepped on that booby trap. We had received some sniper fire over in there, and I looked out. I remember that real good. It was just rough, just kind of thickly vegetated. It wasn't what you would say high, but it did look like you would have a time trying to walk through there, but I don't remember a trail when we come over that bridge. There was a trail, you see, that runs both ways along this water, a peninsula you call it.

Q. Well then, let's look at this from this standpoint. This bridge is about 80 meters; maybe it's between 80 and 100 meters. What we're saying is the length from the east end of this

bridge to the beach is about 300 meters. It is not very far.

A. No, that's about right.

Q. Okay. You have to recognize this area probably has more water in it than when you were there, and this trail has been destroyed. When you came off the end of this bridge and you walked a little ways, how far did you walk before you turned?

A. It could have been like 20, 25 feet, as I can recall it. It wasn't a very good distance.

Q. Now, this trail at one time came over this bridge, and I think it would have been about the same when you were there. According to the picto map, the trail came straight out here and went up to about where this bridge is, and it could have gone over the bridge or maybe it stopped. Like I say, maybe this photograph that we are looking at is quite old. See where this trail came off MAP-4? It came right down here and stopped. There was another trail that came all the way down to the south. We also had witnesses say that there was a trail that ran on the east side of the river, the My Khe River, and you can still see this trail a little bit running south of the bridge. I'm sure that at one time this was a trail. It probably still is. You kind of lose it up there on the north side. That may be the end of it, but also, we've had witnesses that felt that the one squad or possibly elements of the platoon turned south right on the other side of the bridge, and some felt that they came out on this trail, and they hit a fork, a fork or an intersection; it sounds more like a fork to me. This trail branched off to the north and branched off to the south, and where it branched off to the south, somewhere in this area, is where it went down into that village. If you recall leaving the bridge and then going down this trail by the river, you wouldn't have been in the center of the village. You would have been right by the river. You would have been walking right by the water if that is the trail. If you came further in, it could be that the village is where this vegetation is on the photograph. It could be that the village was further to the east. I don't know. I'm trying to bring it back to your mind, the area we're talking about. Of course, the village could have been extended further to the south. I'm trying to give you the recall of about a 300 meter length here, with about 50 meters in from the beach a ridge that ran north-south along there and

a trail that could have come inland a little ways. It probably did. Of course, we could have had another branch off of that trail. I don't know.

A. Well, what you said, now, about that coming in. Some felt, a witness, said it was kind of forked. I would go along. As I said, we came off that bridge. I could have been wrong about the 20, 25 feet. I don't know, but I do know that this water was visible.

Q. It was when you were walking south?

A. Yeah, it was.

Q. You could see that?

A. Right, it was visible. You could just look down at any time. It had quite a bit of water in it at that time.

Q. How far was this water from where you were walking?

A. Oh, 30, 40 feet.

Q. Is that all? You were probably, in that case, you were probably going right down in here.

A. I would say so.

Q. You were walking down right by the river, then? 30 or 40 feet? What is that 10 yards up to that wall? You were walking right by the river.

A. It was always visible.

Q. Were you that close to it? From where I am to that wall?

A. No, we were further away than that. I'm not too good about judging feet.

Q. That's why I want to point out, what we're talking about. Now, let's put it in yards. You can probably judge yards better than feet. Okay, don't you think?

A. Yeah, I'll give it a go.

Q. Let's put it in yards. We're talking about a distance here from where I'm standing of about 10 yards to that wall.

A. No, it was further away than that.

Q. Would it be twice that far? Three times that far?

A. Well, let's say three times that far.

Q. About 30 yards. Well, even at that, 30 yards will put you in here. It's going to put you right in this vegetated area.

A. Let me say this: when you come off and make that turn, that trail, it seems like it has kind of a turn, you know. It kind of leads away a little bit. It is not straight, you know, through the village itself. It does kind of--

Q. (Interposing) Do you ever recall a trail leading off to the left?

A. Well, that is the one where you get off inside, you know, some of the village. I told you that when I kind of went up on a little ridge and there was a breakaway through.

Q. I'm not talking about that.

A. That is the only one I know of.

Q. Is that right?

A. That I can remember.

Q. There was supposed to have been one that led up to the north and stayed on the east side of the ridge and kept on going up north. I'm talking about one that went on up over to the sea.

A. Right. I thought we were trying to find that going south.

Q. Yes, I was wondering if you could recall one that leads off in that direction?

A. We went on that trail that evening.

Q. Did you recall seeing it that morning?

A. The trail?

(COL WILSON indicates in the affirmative.)

Yes, it was noticeable because when you come across the bridge you can see it. It is visible.

Q. How far is it from the bridge?

A. Well, I guess I would have to go along, maybe it was kind of a fork there. You got one that goes one way.

Q. One goes one way and one goes the other way?

A. Right.

Q. Do they fork about in the same place, or did one of these turn in like this and this road just keep going on up like that?

A. You're talking about this one goes into--

Q. (Interposing) Goes into the north.

A. The north, yeah. As you come off that bridge here, this trail here. That trail that goes to the north, it's not a great span of distance by that river, you know. The reason why it was so noticeable is because it's like a swamp, you know, and we could see different types of animals and little things floating around in there, lizards and snakes, but that's a little bit closer. It seems like it runs quite a distance. It seems like it was more closer to this water here. Now, it could have been that you've got your river over here, and this length of water was up at that time. It could have been where that water was in. You see, when the creek would overflow and get around the trunks of the trees or anything like that, it looked like a swamp to me. I didn't want to get down in there because we could see snakes.

Q. When you take this road to the south, after you got on the other side of the bridge and you started heading south, how far was it until you started hitting the first hootches?

A. Well, I'd say maybe 100, 150 meters.

Q. Now, were the hootches on both sides of that trail?

A. Well, the trail did seem to walk down the middle in those villages. They were kind of cleared out, you know. When we walked through, there were hootches on the left and to the right. In other words, it seemed like we were just walking right through the middle of it. They were, you know, scattered here and there.

Q. So you had to be inland a little way from the water.

A. Oh, yeah, we were.

Q. This kind of angles that road off instead of bringing it out here. Some brought it out here and brought it south. You're angling it here.

A. Well, by that, it could have gone middle ways between this kind of ridge and this river here.

Q. That's right.

A. I'll go along with that.

Q. About the time you hit these hootches, which would probably be somewhere down in here?

A. That's right.

Q. Would you say the hootches extended just along the trail, or did they extend, say, from the water over to the ridge and up?

A. Well, I guess the best way to describe it, they set about in the middle, you know, this area here.

Q. Say that ridge is right there where I put the pencil, and, of course, you've got this part right here. I was wondering, did the houses follow real close to this trail, or did they kind of extend back in here?

A. Right.

Q. They moved back off the trail, then?

A. Right. They were more or less scattered in there.

Q. You say they weren't all lined up on the trail?

A. No.

Q. So then, if I show that village starting right about here, it would cover an area about like this?

A. Right.

Q. It wouldn't all be right along this trail?

A. Oh, no.

Q. Let's say something like that (drawing on the map). Would that be right?

A. I think so, yeah.

Q. What we've drawn here is a distance of about 60, 70 meters on each side of the trail.

A. Uh-huh.

Q. How many hootches do you think were in that area?

A. About 10 or 15 at the most.

Q. 10 or 15?

A. I couldn't be accurate.

Q. Did you see any bunkers in the area?

A. Yes, there were bunkers.

Q. Were these bunkers by each hootch, or were they in a bunker complex?

A. Not particularly. For instance, if you're walking down the middle of this village--well, when we got to what I thought to be about the middle of the village on this trail I was talking about that goes all the way to--

Q. (Interposing) To the ridge, yes.

A. To the beach there, wherever that trail is at, there seems to be a bunker. Well, in fact, there were a couple of bunkers that led right up that trail over that ridge there. I do remember those two.

Q. Just bunkers by themselves?

A. Yeah, just dug out holes. They had these beams that supported them, just a hole in the ground.

Q. What was the purpose of those bunkers? Did they look like family bunkers or combat bunkers?

A. Combat.

Q. Did they have holes in them where you could fire out of them?

A. No.

Q. They didn't?

A. They just seemed to be a shelter type.

Q. A shelter type. Where was that trail? Where do you think that trail was that went up to the sea, with reference to the village? Was it before you got to the village?

A. Are you talking about the trail that I just mentioned?

Q. Yes, the one that went up this way.

A. We come over this way and kind of turned. We had just about went through, let's say, possibly all the hootches. I didn't notice any more out any further. Which way is this?

Q. South.

A. That trail turned and went up over the ridge onto the beach there, a little better than halfway where the hootches was at. Is that the fork of the trail?

Q. Yes.

A. I believe it would be on up.

Q. Further than this?

A. Just a little bit further up.

Q. Were these bunkers right beside the village? You said they were up on the ridge, didn't you?

A. I said I noticed two.

Q. That's what I'm talking about.

A. In particular, on this trail, just before you go over this ridge here and onto the beach, there was a particular bunker there because TAYLOR got some old gentleman out, you know, that had been hiding in there. I think he didn't go down in there to get him. He happened to spot him. That's why I remember that one in particular setting right beside that trail, and there was another one right down this way.

Q. That ridge was just about here. It was on your side of the ridge, wasn't it? So it would be right about here?

A. Right, yeah, right in there. Just before you cross over that ridge.

Q. Now, this is a bunker. Was this one of the well-built bunkers that you were talking about, with beams?

A. That was a well-built one, right.

Q. You say TAYLOR got an old man out of there?

A. Right. There was an old gentleman. Well, he stayed pretty much hid during the excitement that was going on. We were, you know, getting the people together. This old man was spotted, and TAYLOR, I think he reached down there trying to get him out, grabbed him by the hand and helped him get out of there.

Q. I thought you said there were two bunkers there?

A. I did. The other one was back down here.

Q. Further into the village?

A. Right. It came back away from this ridge. Those are the two that I can tell you that I remember. There were other bunkers, you know, that was, you know, that might have been in different spots in this village here, because, like I say, there were quite a few being blown up, but those are the only two that stand out in my mind.

Q. You mentioned that you had rounded up some people?

A. Well, that was the procedure when we go out to a village like that, and we did congregate these people and put them all in one hootch.

Q. What time was this?

A. I don't remember. I think I answered all that the last time I was here.

Q. I'm trying to fix the time, because the last time you were here I don't think we had the time. We figured there was heavy small arms fire in that area about 0935.

A. This was afternoon.

Q. And how many people was that?

A. There might have been possibly 20, 25 after we got them all, children, no particular ages.

Q. And they all came out of this village?

A. The ones we rounded up, right. All in this immediate area here. You see, there were some there on the beach. There were four women. We even got those. We got them all together.

Q. So it's in this area, in the 15 hootches, you had rounded up between 20 and 25 people, or did you say 15, 20, 25?

A. 15 to 25. Babies, mamas carrying babies.

Q. Mostly women and children?

A. Right.

Q. Now, what time do you think you had this number of people rounded up?

A. I'd say around 2 or 3 o'clock something like that. It could have been a little earlier. It was right in the afternoon. It was afternoon, I know.

Q. That's all right. Did TAYLOR help this old man out of the bunker after it was destroyed, or was that bunker ever destroyed?

A. That bunker was--no, it was not destroyed as I remember it.

Q. What time of day was this? Was this while the point was in the village or what?

A. No, when the man--

Q. (Interposing) Yes.

A. It was around 2 o'clock in the afternoon.

Q. About the same time?

A. Right, about the same time.

Q. The destruction, as we understand it, took place in the morning. I suppose--

A. (Interposing) Right.

Q. So this bunker apparently was not destroyed that morning.

A. No.

Q. Now, these people that were rounded up about 1430 or 1500, were they rounded up as a result of searching the village?

A. Yes.

Q. Now, we figure most of the firing occurred or, at least--put it this way: at 0930 that morning a swift boat, which was operating right out here in this, observed a lot of small-arms fire right through here, right in that area (indicating the village area). That's 0930. Now, somebody was in there firing at that time. I don't know whether it was the point or the platoon or what it was. I think it was the point. It could have been the point, the first squad, or the second squad behind the point, whichever one that may have been, but at any rate, there was some heavy firing going on. It didn't last very long. Now, about the time that firing started, or just 5 minutes before that swift boat saw that heavy firing going on, was when that second booby trap was tripped back over there at 0930. I'm just trying to pull these events together, and I don't know whether you all heard that booby trap go off or not. It was right up near where Lieutenant COCHRAN was killed and got those three other men. All this seems to have occurred around the same time. At 0930 the boat out in the ocean saw a lot of small arms fire going on along what they called the beach. It was right about where you all were. At 0930, that booby trap was tripped back on the other side of the river and at 0955 the 1st Platoon reported its first casualty, 12 VC killed, and we figure somewhere along 0925 or 0930 that point had to be over in here on this side of the bridge, on the east side of the bridge, somewhere in the vicinity of that village. They didn't have to be in the village. They could have been outside the village and that heavy small arms fire could have been coming from a machinegun.

A. Well, like I said, they flew us out some more ammunition. The machinegunner was with the point quite a lot.

There was some small arms fire that was going on. A lot of fire was coming from this machinegun. We had not already gone into begin to search, and we saw, you know, this particular bunker that I told you about and that one down in here or even congregated the people, but we were still in this area. We had not, what you say, infiltrated into the village itself.

Q. All right. Let's go back a minute. Where was that machinegun? Where was the machinegun firing from?

A. Let's see, we came off this bridge. I'm trying to think. I cannot be too definite about this. Did you get others who may have said different? I want to get it as sure as I can. We went off this bridge and kind of made a right-hand turn into the village here. We got right here, kind of on the outskirts. We weren't as far as the hootches here. There could have been some people in them, but the machinegun was deployed, I would say, about right in here.

Q. And you said there could have been some people in them? Did you search these hootches?

A. We hadn't yet.

Q. Was the machinegun deployed so that it was firing into those hootches?

A. Yes. In other words, the whole village itself was being fired on.

Q. Okay, the gun was about right here? Is that right?

A. I'd say about right in here.

Q. Just before you get into the main part of the village?

A. Right.

Q. And the field of fire for that weapon was the complete area of the village. It brought all of the hootches in the area under fire. Is that correct?

A. It appeared to me from how I was--

Q. (Interposing) Where were you?

A. I was standing--we were coming down this trail, kind of behind the machinegun.

Q. Your whole squad?

A. Right.

Q. That was the first squad?

A. The whole platoon, you might say, went out this way and moved kind of in a line.

Q. But your squad, this is the first squad, right?

A. I believe it was.

Q. You were in LIAS' squad?

A. Yes, Sergeant LIAS.

Q. And you were in back of the machinegun?

A. Uh-huh.

Q. And you were back down this road?

A. Right. We had already, now--I, myself, had already made this turn.

Q. Were you up in front of this squad?

A. I could have been second, maybe third man back.

Q. Was any of the squad still behind this turn?

A. It could have been. I couldn't be sure about that. It could have been.

Q. You see, a squad keeps about 5 or 10 paces between each man, normally, in a situation like that. If you've got 5 or 6 men in a squad, you've got 50 or 60 paces there, right? We're talking about 50 yards.

A. Yeah.

Q. It depends how many people you have in that squad. I think these squads were fairly large. As a matter of fact, the way we have our squad built, or I should say, the way we reconstructed your squad is LIAS, HALL, GARCIA, MICHENER, MILUS, STRACHAN and JONES.

A. Uh-huh.

Q. Maybe a couple more that we don't have, but this is what we figure that the first squad consisted of.

A. You've got six or seven men.

Q. That's right. Seven men, two of which were on the machinegun, so this leaves--because you see, we put MILUS and STRACHAN in that squad. But you see, they were actual machinegun personnel attached to that squad.

A. There might have been, in addition to the seven men--

Q. (Interposing) They were among the seven that I called off. So that leaves only five people that were in this squad.

A. Right.

Q. There may have been a couple more. I don't know. We're talking about a distance your squad covered behind the machinegun, and I'm certain there must have been 15 or 20 yards between the machinegun and Sergeant LIAS.

A. Well, we would normally try to keep about 10 meters between each man.

Q. And then, from Sergeant LIAS to that machinegun, he kept more than 10 meters, I think. Maybe not. He may have been closed up on that machinegun, but normally if that gun is up there with the point where it is supposed to be, where it's supposed to have been working, the distance between your point and the first element would be anywhere between 75 and 100 meters, depending on how much vegetation you've got. At any rate, we figure maybe 10 meters between each man, right?

Normally, say 10 yards, the distance between here and that wall.

A. Right. That would normally be it.

Q. The distance between Sergeant LIAS, the lead man in the squad, and the rear of the machinegun, which would be 10 or 15 or 20 paces. So what we're talking about it from this machinegun location right here to the rear of the following squad is about 70 or 80 meters from the machinegun, given a distance between the machinegun and Sergeant LIAS, say 15 or 20 meters.

A. That would be--

Q. (Interposing) And about 15 more meters for the squad disposition. This puts you back--this gives your squad about 50 or 60 meters for the disposition of personnel and gives you a certain distance from that machinegun. So we're talking about, based on the scale of this map, a number of the squad would have been around that bend.

A. Yes, that would be true.

Q. And you were probably somewhere in the center if you were number two or three man. There weren't but five men as we figure, five or six, so it is possible that some of the squad was back there.

A. Let me say this, you know, sometimes you get some fire or something like that. I guess this happens in every squad or something. Men will kind of--

Q. (Interposing) Bunch up?

A. Bunch up, you see.

Q. Yes, I know.

A. I didn't notice. Maybe a few of the platoons were there a little further ahead of us, but I would go along about how you put this. You said some of the men could have been further back.

Q. This is MILUS' machinegun, right (indicating on map)?

A. Right.

Q. M-60?

A. M-60.

Q. Now, where was the point at that time?

A. Well, some, the point--

Q. (Interposing) Do you know what we're talking about? We're talking about the disposition of the forward elements of that platoon at about 0930, the time of this firing.

A. The point men?

Q. Right.

A. Well, the point men--a couple of them, I think it was TAYLOR and the other one; I forgot his name.

Q. You had HOOTON, TAYLOR, TITTLE.

A. TITTLE. The point men had already, I think they had went in and checked out one or two, maybe three, of the hootches that they went into.

Q. This is before the firing started I assume you're talking about.

A. Oh, yes.

Q. Were they firing when they were checking these hootches out?

A. I couldn't--I don't remember if they were firing or not. They could have been. I couldn't be sure about it.

Q. All right. When MILUS' M-60 was back here, the point couldn't have gone, if it was firing like you have told me, the

point couldn't have been in that village, or at least it was well-coordinated support fire.

A. Well, those point men, they were, as I recall, I believe they were called back out of the, you know, say the perimeter of fire. They weren't what you might say in jeopardy, in the line of fire, machinegun. There were a couple of other point men in there already, and the three of them had already gone in and searched out one or two of the hootches. They were called back.

Q. Who called them back?

A. It may have been the lieutenant. It might have been. I say this because the point was pretty well forward. They were, in a way, kind of bold to go in to search out anything. TAYLOR was one who it didn't make much difference with him. He'd go inside a bunker or what. It didn't make much difference with him. He was just that kind of guy. I believe I'm correct when I say that they were being called back, because they were getting ahead of the platoon. Lieutenant WILLINGHAM was trying to keep the platoon together in kind of a coordinated movement here.

Q. When you saw the M-60 firing, it was covering the whole village?

A. Yes, I'd say. You might say it had the whole area which they were about to enter. It was pretty well covered. There were a lot of trees, coconut trees, shrubs and vegetation. It wasn't one of the clearest villages we'd ever been in.

Q. Did you say it was heavily vegetated or medium?

A. About medium. There were quite a few of the coconut trees and banana trees in the area.

Q. From your location, could you observe the village?

A. Well, not entirely. From what I've said, like I said, you approached and made that turn as you start to approach and that trail leads you right down to the middle of the village, and you can spot hootches in there. Like I said, there are those trees and everything, some of the banana trees. You

couldn't, what you might say, see other things. Like I say, I can only say what I saw.

Q. How many hootches of the 10 or 15 that were in the village do you think you could see from your location at the time the machinegun was firing?

A. Four or five or six.

Q. You couldn't see very many?

A. Hootches?

Q. Very many hootches.

A. No, because we hadn't got in deep enough to see possibly others.

Q. How about the machinegunner? What could he see?

A. Well, he was a little ahead of us. He might have seen a little more than me, but I kind of doubt it. I imagine that we could all see about the same thing.

Q. And you believe that the point was called out of the village before the machinegun started firing?

A. As I recall, I don't think I mentioned that the last time, but I believe they were.

Q. But they did enter the village, right?

A. Yes, they did get through some, one or two or three of the hootches.

Q. Now, what was the reason for that M-60 being moved in there to fire?

A. Well, to clear the area.

Q. Why was it necessary to clear it?

A. Well, we thought--let's just say it was said to have been a VC village, because while we were trying to make it to this particular area, I said we had a grenade thrown at us.

Q. Did you see that grenade?

A. I never did see it.

Q. Go ahead.

A. Of course, it didn't take much convincing; they said one was thrown. That was good enough. Of course, that slowed us down some, and we proceeded on. We never did see the one that threw the grenade. I never did see him. The point man may have. TITTLE or somebody saw it, but anyway, when we started on, they just moved on into the area there. When all this happened, I guess in a way, it kind of gets you uneasy, and we moved into this area here. The movements that were going on in the village, we just perceived that it was a VC village. There seemed to be different types of tracks. Like I said, when you're over there a while you feel like you develop an ability to read a VC footprint or something like that. They always seemed to wear a type of a tennis shoe or something. It just looked like a VC village to us, I mean entirely, as far as imposing to us, the way that we could see it.

Q. Your first observation of the village was about the time this machinegun was firing, or was it when the point was searching those few hootches on the other side?

A. As we were moving across the bridge you could spot a few of the hootches there. I mean they were visible. You could see them from this side.

Q. From the bridge?

A. Right, even before we crossed.

Q. From the other side of the river, then?

A. We knew that there was a village there, so that's why I would say the machinegun was deployed because it had--

Q. (Interposing) You saw the village from the other side of the bridge. Did you see any people over there?

A. Well, we could see different movements. I couldn't decide how many or what. It's a little bit hard to tell whether they were male or female, but we did know there was movement in the village.

Q. Now, we were informed that there were five mortar rounds fired over there, somewhere on that side in the village. Do you remember this?

A. You mean fired up on the American troops?

Q. Fired on the other side of the bridge, somewhere on the east side of the bridge. It could have been out on the beach. It could have been right on the other side of the bridge. Five rounds--all but two were duds.

A. It is possible, but I couldn't be sure about that.

Q. Now, after the machinegun stopped firing--how long do you think it fired?

A. Do you mean after it was deployed?

Q. Yes.

A. There could have been 10, 15, maybe 20 minutes of it, because they used up quite a bit of ammo. That's why they flew in some more, plus the demolitions to blow up those bunkers.

Q. Was anybody else firing at the time the machinegun was firing?

A. Yes, there was some small arms fire.

Q. Where was it coming from? Behind you, in front of you; where?

A. It was to our front and kind of on the sides of us. Like I said, the firing had commenced. Some of the men, like you say, you know, they got kind of beside one another and a point man was firing into the village up on different things. They saw things moving. That's about it, about the way I can describe it. But mostly, it was the machinegun that was doing quite a considerable amount of the firing after it was deployed.

Q. Okay. Now, after that was over, what happened? Did your squad move into the village?

A. They flew in some more ammunition, and we had to move out right away. It wasn't too long after that--we did kind of move in squads. The squads just kind of got together, and that's when we began to start searching out the hootches.

Q. You said you saw about three bodies in the village.

A. I said two that I knew of. I saw two. There possibly could have been a third one that had been trapped in one of these bunkers.

Q. Now, this was after the firing had all finished?

A. All that excitement had died down, and we had already gone into the village. It was, what you might say, infiltrating. Like the whole area was just about covered.

Q. Okay. When you went into the village, was the point still in there, or had they completed their mission in there, or were they in a part of the village and you in another part?

A. They were on deeper into the village. We were coming in because--I believe they had some of these M-26 grenades that they were throwing, you see, into those bunkers.

Q. Is the M-26 a CN or a CS grenade?

A. It was a fragmentation.

Q. It was a fragmentation grenade?

A. Right.

Q. Do you recall at any time the instructions to pass your grenades forward?

A. It is possible, but I don't recall.

Q. Did you ever do this over there?

A. Yes, I have done that before.

Q. Send your grenades forward?

A. Yes, I've done that before on operations.

Q. Do you remember doing this?

A. I don't remember then. I remember sending the M-60 ammunition up. That's the only thing I remember. It is possible, handing up grenades, but like I say, I couldn't be--

Q. (Interposing) There was still, at another part down further in the village, there was a demolition job when you all came into the village? Is that right?

A. Well, by that time most of us had gotten into the village, and they were on up ahead of us. We might have been in closer to the middle of it.

Q. Had the point preceded the platoon all through the village?

A. You mean they were ahead? Right.

Q. Did Lieutenant WILLINGHAM ever move forward of your platoon?

A. Well, he was more with, you know, up right in behind the point men, because he was up ahead of me. Our squad like I said, going back to a while ago, our squad, the first squad, was the one that preceded the point element.

Q. I thought you said he was just behind you?

A. You mean the point element?

Q. No, Lieutenant WILLINGHAM.

A. Well, now, I mentioned he came forward when we were right there at the outskirts of the village, before we went in. Lieutenant WILLINGHAM came forward, you see, and some of the point men had already gone into the village itself. Now, he was up ahead of us. I mentioned Lieutenant WILLINGHAM being

behind us before we crossed that bridge. He was behind us when this grenade was thrown at us.

Q. And then he passed you or came--you saw him go forward when you were right outside the village?

A. Right.

Q. Before the machinegun started firing?

A. Right. Mostly, I remember him coming forward. Let's just say when I mostly remember him coming forward when we had not entered the village yet, and possibly some of the point men had, but he did come forward up ahead of us.

Q. Did he stay there?

A. Yes, that's where he remained.

Q. Did he have his radio with him?

A. His RTO was with him, right.

Q. At that time, did you still see movement around that village?

A. Well, with all the excitement, right. There was a lot of people, you know, moving throughout the village.

Q. It must have been close?

A. Well, the ridge now, like I said, I mentioned I saw four women that were on top of the ridge. Now, they was very visible. The people seemed to kind of move out with the firing going on. The people were moving up this ridge, you see, getting up over this ridge toward the beach.

Q. Did anybody take those people under fire when they were going up that ridge?

A. Yes. Some of the men was firing upon them.

Q. What were those people? Mostly what type? Men? Women? What?

A. Well, I saw mostly women.

Q. How many were killed going up that ridge?

A. I couldn't answer that. I couldn't be correct.

Q. They were running?

A. Yes. Some were running. Some were, I guess, scared. I guess they didn't know what to do. Those four women were kind of bunching up.

Q. Did those women get right behind that ridge?

A. They were over--you could see them up on that ridge, yeah.

Q. Did you ever see them again?

A. No, unless they were rounded up. They all kind of look alike. They dress alike. After they were rounded up, they could have been among the crowd. They didn't, what you might say, stand out in my mind.

Q. And you went through the villages. Did you find any people in your search?

A. Yes, we intercepted two. When we went through the village, we got on this particular trail, the one up over the ridge. I think there was a woman and her daughter, an older type woman and a younger girl. We intercepted them. Me and GARCIA and another element of our squad intercepted them and got them down into the village. You see, because at this point they were getting those moving around. We were gathering them together, so we just intercepted them and took them down to the rest of the people.

Q. How come these were on the other side of the ridge? Were there any bunkers, or where did you find them?

A. You mean the two we intercepted?

Q. Yes.

A. The beach. They were going down the beach from the south, just coming down.

Q. You were on the other side of the ridge then?

A. Yes.

Q. You were over on the beach?

A. We just went through this little old breakway in the ridge on this trail. At his point, see, our men were just all over the village getting those, you know, people. Some were sitting inside hootches. They would take them by the arm or something like. They were gathering them together, so when they came on the beach about that time, they were just right there. We just intercepted them and carried them on down with the rest of them.

Q. I can't imagine those people sitting there in those hootches while they're firing machinegun fire into them?

A. Well, we noticed, sir, all those old men and women. I guess, they just saw so much going on all the time. I'm sure they were probably a lot of times scared, but we had a few characters that would stay in the village. I don't know what; they just take it all in stride. I mean it's hard. I could speak from my own personal feelings and convictions. When you're in a place like that and see some of the malnutrition in some families and the sores and everything. I don't know, it's just another thing. You read about and hear about things that go on in different countries, but when you're actually engaged in it, it gets pretty close to you. It's just my personal expression. It's like this old man that TAYLOR helped out of the bunker. He didn't seem to be scared. In fact, he looked like he couldn't even hear too well.

Q. Well, these 15 to 22 that you say were rounded up, would you say most of those pulled out from sitting in their hootches, or were they down in bunkers?

A. Well, there were some in hootches. Some had made their way over to the ridge, like these four women, and some were inside the bunkers, going back to that old man there. Like those that we would get walking up and down that were in this

area down the beach, walking up and down. They just seemed to make up the group of people that we rounded up.

Q. Now, we've had witnesses say there was no attempt to get the people out of bunkers. They just threw hand grenades in there.

A. Well, there was still a lot of bunkers that had been--I mean they were searched out even though they had been blown up. If there were individuals that might have seen it in other ways, maybe on this particular, I know that I was-- I mostly, the time--in fact, me and GARCIA and one of the other elements of our squad, we stayed there on that particular trail, because I think Lieutenant WILLINGHAM had told us to stay there, and anyone that came down on the beach, you know, he wanted to know the time. We spent quite a bit of the afternoon up there right beside the beach.

Q. What do you think about the VC body count that day? Do you recall what I told you those reports were?

A. Uh-huh.

Q. Twelve, eighteen and eight. Total of 38?

A. Yeah, I remember those numbers, but--

Q. (Interposing) And the times of the report, too, are significant I think because the first report was at 0955. The next report was at 1025, and the next report was at 1420.

A. All of these reports were coming out of this area that we were in?

Q. All of them were coming out of that area.

A. Well, sir, I did see a couple of kids on that trail that I was on, and someone had mentioned that there was a child that was lying by those bunkers that had been trapped. When this demolition was going on, there was a lady trapped in there. As far as physically seeing those that I just mentioned, I know that I'm right there because I saw that, but as far as a large number or body count, I don't know. I didn't, what you might say, go over the whole village, because you know yourself, you take the

machinegun and go fire into a village. There is no telling what you all kill, so that's my best description.

Q. Did you see any steel helmets or equipment that they found in the town or village?

A. I don't recall. We would always find a canteen or a VC belt or something like that when we would make a search.

Q. Did you know LARCHE?

A. The name kind of rings a bell. I don't believe he was in our platoon, was he?

Q. He was supposed to have been up there with the point.

A. You get to know one of the fellows. He might be wounded or something, and they were always sending in new replacements.

Q. He hadn't been there very long.

A. Sir, the name kind of rings a bell, but I might not have got to know him personally. Most of the other guys that were there.

Q. Do you know PLACEK?

A. PLACEK? Yes, his name is familiar. It's not too good with my mind. Some of the men and the names seem to ring a bell, but that's about it.

Q. Can you recall anything about that village on that morning that we haven't got on this photograph?

A. No, that's about, if I can use the word "highlights." That's about it. There would, of course, have been the hootches. They were destroyed. We burned those down when we left.

Q. We had a forward air controller in the air, a bird dog, that said at 0930 or at 0940, he saw an impact on the beach. Now, "beach" is a peculiar word with these outside

observers, but I wonder if he was talking about--could he be referring to the demolition of the these hootches or something?

A. I would say so, because there was quite a bit of that going on.

Q. About that time?

A. Yes.

Q. We have another report going in at 1555 from B Company which reported no women or children in the body counts made that morning. Did you ever hear that?

A. They said no women?

Q. No women or children?

A. No, I don't recall that. I only spoke for what I saw, because after it was all over, it seemed like there was nothing there but women and children.

Q. That's what it sounds like after you get a whole bunch of testimony together. Did you hear of any rapes in this village?

A. No, sir.

Q. We have testimony from a Vietnamese woman by the name of BAY who said she was raped twice and that she was later that day taken to the field up north from the village. She spent the night in the field with the troops, but wasn't molested. The next day, they told her that they wanted to go back to the village, and she took them back down there and she was later turned over to some ARVN soldiers. Now, this sounds like the woman who was tied and leading the point. In fact, her testimony tracks right down the line. That's probably the woman, the same one, even to the point of being turned over to the ARVN soldiers. She claims she was raped that morning twice and as a result, lost a child, 2 months pregnant, and from that point on, her testimony just tracks right down the line with other testimony that we have. Did you ever see this woman?

A. Yes, I saw her.

Q. Did she have any kind of peculiar head gear that you can recall?

A. Not that I can recall.

Q. Did you see her at a later time with ARVN soldiers?

A. Not that I can recall.

Q. We've had an indication that she was turned over to the ARVN soldiers at the time you all made that march south, down to the end where the river runs into the ocean?

A. Right.

Q. That she was cooking for them. I guess they would have been with the 1st Platoon, because the 1st Platoon was moving south on the river side of the peninsula. There is some indication that photograph P-210 may be her. I know that it is difficult to see that individual that is in the photograph, because it is an awful peculiar headgear she is wearing, whatever it is.

A. It looks like a helmet, doesn't it?

Q. Yes, it does. Like a pith helmet. It would be something that I would remember as being a lot different from a regular straw tunic-type headgear they wear.

A. It may sound a little strange, but I recognize the shoes she has on more so than the headgear.

Q. Why.

A. Well, I believe this one was leading the point, and I believe she did have on these little old flip flops, whatever they call them, and she could have had that helmet on. Like I say, it doesn't stand out.

Q. You're the second one that has mentioned those shoes, and I think it is most unusual. I would have thought

those shoes were rather common over there?

A. Well, they are.

Q. You are the second one that said they remembered the shoes. Do you remember the woman that was with the point wearing those shoes?

A. I tell you, I would say, according to these shoes, that would be the same woman. She wasn't an old, you know, woman. She was I'd figure her to be around, this is my own guess, probably 25, 30, 32. Those people, some of them are so small that it's kind of hard to guess their age, but that would be my guess. She wasn't an old woman and she was very, in a way, a little bit better looking than some of the others that we had seen over there. These shoes, they are a common thing, but there is a whole heck of a lot of them that just goes barefoot, you know. In other words, it was rather unusual when you went into a village like that and one of the women were wearing or the children were wearing a pair of those flip flops. I mean, in a way, they kind of stand out because you saw so many of the others barefooted; I mean, even in the fields working barefooted.

Q. I guess you are right. My experience is confined too much around the larger cities and not as much in the country. As a matter of fact--

A. (Interposing) I am a country boy.

Q. I mean in Vietnam. I'm not talking about the states. As a matter of fact, all of the photographs that we have of the villagers in My Lai (4), which were the photographs taken by HAEBERLE, the massacre photographs that you recall were in Life magazine, and I'm referring to the photographs 39, 40, 41, 42. Not one of the photographs, although there a total of, let's say, 15 to 20 people in them, not one of them have anything on their feet. Maybe you're right. Those shoes would stand out in your mind because they don't wear anything on their feet. Did you hear of any rapes on this operation?

A. No, I couldn't say there was. I just don't recall anything like that.

Q. Mr. HALL, do you have any further testimony, any further information that might assist us in this investigation?

A. No, sir, not but what I've already said. I couldn't add anything to it. If I can say, you mentioned about Code of Conduct last time I was here. If I had it I'd send it to you. I checked my souvenirs and things like that. I haven't got it, so evidently, I must have turned it in or something.

Q. Lost it?

A. Lost it or threw it away when I came out. I don't know.

Q. I'm going to ask you to sign this photograph so it can be entered as an exhibit, but before I do, I would like for the record to show what I put on here. These items are not numbered because they are written on the photograph. The area covered by the first squad at approximately 0930 hours which shows the first squad along the trail. The location of MILUS M-60 firing to cover the village which consisted of medium vegetation which hindered the observation. This was also at approximately 0930 hours. About 10 to 15 hootches were located inside of this village area, which is shown by a line. The platoon rounded up 20 to 25 women and children at about 1430 to 1500 hours in this area. A built-up bunker or a well built bunker. TAYLOR helped an old man out of the bunker that afternoon. That is located, and over here is a point "withdrawn prior to M-60 fire," shows location--shows the point moving out of the area prior to the machinegun fire, and it also, by dotted line, shows the delineation of the village, the area in which the village was located, recognizing that the entire area has been destroyed. Now, what I'll put on here is "Prepared from memory at Washington, D.C." this date for your signature. "Prepared from memory at Washington, D.C., 2 March 1970." Would you sign right under that?

(The witness signed the aerial photograph.)

Will you put you initials right here where I made that erasure? Just your initials there.

(The witness did as requested.)

COL WILSON: This will be entered as Exhibit P-234.

Mr. HALL, I would like to remind you that we request that you not discuss your testimony during this interview with anyone, to include witnesses, except as you may be required to do so before a judicial or legislative body. We appreciate your coming in.

The hearing will be recessed.

(At this point in the hearing the Task Force Barker Journal, dated 19 March 1968, is entered into the record as Exhibit M-130.)

(The hearing recessed at 1500 hours, 2 March 1970.)

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SUMMARY OF TESTIMONY

WITNESS: HOLMES, Larry G.

DATE OF TESTIMONY: 23 January 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: Second Squad, First Platoon, B/4/3.

1. PRIOR TRAINING IN THE RULES OF LAND WARFARE.

While in Hawaii HOLMES received training on the handling of PW's and noncombatants and received cards on this subject (pgs. 3, 4). He was not certain that the card he received was either "Nine Rules" or "The Enemy in Your Hands" (pg. 4). He was instructed that persons with ID cards were not to be mistreated (pg. 3). People running were to be shot if they did not stop after a cry of "Halt" and a warning shot (pg. 7). After he had been in Vietnam a while the warning shot was eliminated, whether by his own action or by higher authority the testimony did not make clear (pg. 7). He did not recall being informed about the penalty for mistreatment of PW's and no training was given on the reporting of mistreatment of PW's or noncombatants (pgs. 3, 5).

2. PREOPERATIONAL PLANS AND BRIEFINGS.

The witness did not remember by whom he was briefed, but it was either Captain MICHLES or Lieutenant WILLINGHAM (pgs. 6, 8). They were told that they were to search and destroy three hamlets (pg. 6). They were warned that they would meet strong resistance (pgs. 10, 12). There had been a leaflet drop warning civilians to move out, and thus he was told that everyone in the village would be a VC and was to be shot (pgs. 6, 7, 9, 10). The whole village including livestock and foodstuff was to be destroyed

(pg. 9). The briefer pointed out that a search and destroy mission was what the company had been awaiting (pg. 6). In their other operations the mission had been only to search (pg. 7). The men figured that after days of walking and of stepping on mines this was the chance to get into Pinkville and let the people there know how it felt to be hurt (pg. 53). The witness interpreted the order as allowing the company to do just that (pgs. 53, 61).

3. THE ASSAULT ON PINKVILLE.

a. Movement into the area.

They received small arms fire on their way into the LZ which frightened the witness, but which could have come from U.S. weapons firing at My Lai (pgs. 11, 12). He was on the first lift (pg. 10). He did not know if his doorgunners were firing as they approached the LZ (pg. 11). However, gunships were firing their miniguns on the village (pg. 18). They landed near a bridge and regrouped (pgs. 10, 13). There was a great fear of mines during the operation (pg. 44). His platoon was acting independently of the rest of the company and was operating with two squads (pgs. 3, 15).

b. The attack on the village.

As the platoon approached the bridge leading to the village it began firing heavily (pgs. 14-16). The bridge was 300 to 400 meters from the village (pg. 31). The witness could not say whether or not they received hostile fire. On this point he would only say that there was shooting (pgs. 15, 18, 30, 56). The firing then "cooled" (pg. 16). After they crossed the bridge WILLINGHAM had the machinegunner, MADISON, spray the village (pgs. 16, 30). It had taken them five to ten minutes to get across the bridge and set up (pg. 55). MADISON was just spraying, not shooting at anyone in particular (pg. 31). The platoon then proceeded down the trail single file and began shooting at the village which was on top of a small hill (pgs. 31, 32). Nearly everyone was firing (pg. 32). The range from the point where they were firing to the top of this hill was 75 to 100 meters (pg. 56). He saw no one executed during the operation and heard of no rapes (pg. 56). There were people running around on top of the hill (pg. 32). No one called to them to halt (pg. 32). Some people were shot as they came over the top of the hill (pg. 36). The witness

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did not know if anyone was killed up there because they never got to the top of the hill (pgs. 32,36). Nothing was done to aid or bury these people (pg. 36). The witness did not hear any yelling or screaming from the top of the hill (pg. 36). His home town paper said 123 people were killed, but this number was far too high (pg. 35). He only saw one or two dead people all day and these were in bunkers (pg. 38). He did not remember any medical assistance given Vietnamese that day (pg. 37). An order came down to stop the shooting (pg. 38). The platoon searched bunkers and blew them up with TNT (pgs. 32,33). The witness did not participate in this. He was "sitting" under a tree pulling security (pgs. 38,39). He did not know from whom the cease fire order came. It could have come from higher up or from WILLINGHAM so that the soldiers blowing up bunkers could do so without being endangered by American fire (pg. 39). He heard that it was suggested that people be shot as they came out of the bunkers and that this occurred in several instances (pgs. 32,34). Sometime during this assault TAYLOR picked up a woman whom he took to the laager area (pg.35). The witness did not know if she was raped but did not think so (pg. 35). He knew of no weapons or military equipment being found (pgs.39, 40). While the searching was going on, HOLMES' squad "sat for quite awhile" and then moved to its laager site near the bridge (pgs. 16,38,39). He saw no National Police that night or at any time on the operation (pg. 28).

c. Action the following day.

(1) Wounding of TAYLOR.

The next morning TAYLOR, who was acting as point man, stepped on a mine while checking out the bridge (pgs. 13,17). At the time he was hit he was using the woman to walk point for him (pgs. 27,38). After TAYLOR was wounded they began receiving fire from a point in back of the village (pgs. 17,18). Gunships then came in and hit the area (pgs. 13,17,18). He did not know if artillery was fired (pg. 17). The platoon was upset by TAYLOR's wounding as he was quite popular (pg.37).

(2) Movements along the coast.

The entire company regrouped and moved along the coast (pg. 18). They moved nearly to the mouth of the river (pg. 19). Suspicious things were blown up (pg. 41). He did not know the amount of shooting there

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was that day and could not remember how many bodies he saw (pg. 41). The squads were acting somewhat independently of one another (pg. 23). They may have done some burning, but he could not remember (pg. 37).

(3) Night mortar attack.

They laagered that night by a coconut grove and received approximately a dozen rounds from mortars (pgs. 19, 22). A C-47 Spooky came in and sprayed the area (pg. 22). HOLMES' squad went out to find the mortar position (pg. 21). At the place where the mortar had been set up the squad leader, Sergeant LIAS, severely beat one of the Vietnamese guides the squad had taken with them because his friend, MILUS, had been killed during the mortar attack (pg. 21). LIAS hit the man with his weapon and had to be pulled off him (pgs. 21, 57). However, the man was still able to walk (pg. 57).

d. Actions on the 18th.

The witness had difficulty distinguishing this operation from one on which they were gathering salt for the Vietnamese (pg. 43). He remembered rounding up many villagers as they moved along the coast on the 18th, but did not recall a MEDCAP team coming in to treat the people (pg. 20). The area around the coast was calm and he saw no bodies (pg. 26). With one exception the villages in the area were small (pg. 24). He did not know if these were Co Lay (2) and (3) (pg. 26). He remembered walking through the sand to gather people up, but he did not know why they were gathered because nothing was ever done with them (pg. 27).

e. Events on the 19th.

On the morning of the 19th he saw an American interpreter with a hunting knife cut the back of detainees' hands and put salt in the wounds (pg. 54). He heard that a Vietnamese interpreter attached a field phone to a prisoner and turned the handle in order to give the man a few jolts of electricity (pg. 54). The witness did not know the rank of the American who was torturing detainees and did not know if he came in on a helicopter (pg. 59). The American spoke directly to the Vietnamese without an interpreter (pg. 59).

4. INQUIRIES AFTER THE ASSAULT.

The witness heard a rumor that there was going to be an investigation of the operation, but did not know if it referred to My Lai (4) (pg. 45). He heard nothing more about it and knew of no one being questioned (pgs. 45, 46). He did not remember when or from whom he heard the rumor (pg. 46). He heard nothing concerning unnecessary killing of civilians by Task Force Barker (pg. 49). Perhaps through WILLINGHAM he heard that B Company was to remain quiet about the operation, but he was never directly told to keep quiet and could not recall the details of the rumor (pg. 50).

5. OTHER INFORMATION.

a. Mistreatment of detainees.

On the morning after the mortar attack an officer in a helicopter came to the company area and witnessed detainees being mistreated (pgs. 57, 58). HOLMES assumed this man to be a colonel because he came in a helicopter (pgs. 57, 58). This person stood by while detainees were hit on the head, had their arms pulled for long periods of time, and were forced to hold stones out for periods of time (pgs. 58, 59).

b. WILLINGHAM's attitude toward the shooting on the 16th.

Since WILLINGHAM called for more ammunition and TNT when the platoon assaulted the village on the 16th, the witness felt that WILLINGHAM did not oppose what was happening (pg. 53). He did not appear to be angry with the men (pg. 53).

c. Attitude of the men toward the Vietnamese.

Other than a few Vietnamese who worked with the Americans, like the interpreters, HOLMES felt the people were against the soldiers and he had no compassion for them (pg. 52). The people in My Lai were especially against them (pg. 51). The My Lai area must have been communist or else artillery and air strikes would not have been put in there, and the task force would not have been sent in to finish the job (pg. 52). The men went into the area seeking revenge (pg. 52).

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d. Types of missions after My Lai.

The witness was medevac'd to the United States in July of 1968 (pg. 42). Those operations in which he participated up to this time were not much different from those they had previously had (pg. 49). However, they did not have any more search and destroy missions (pg.44).

e. Miscellaneous.

(1) Although marijuana was easily obtainable in Vietnam, he did not know if it was used in B Company, and he never saw it used on an operation (pgs. 50, 51).

(2) Although the witness had no tape recordings of the operation, he did have undeveloped rolls of film and he promised to send to the Peers Committee those he found (pgs. 46-49).

(3) The only person to whom he had spoken since the operation was a man named ROGERS from the third platoon with whom he talked about old times (pg. 60).

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EXHIBITS

EXHIBIT NUMBER	DESCRIPTION	NOTES	PAGES
M-2	MACV Card "Nine Rules"	Witness did not recall the card.	4
M-3	MACV Card "The Enemy in Your Hands"	Witness did not recall the card.	4
P-18	Miscellaneous Scene	Witness did not recognize anyone.	28,29
P-19	Miscellaneous Scene	Witness did not recognize anyone.	29
P-20	Miscellaneous Scene	Witness recognized HOLTON.	29
P-21	Miscellaneous Scene	Witness did not recognize anyone.	29
P-22	Miscellaneous Scene	Witness did not recognize anyone.	29
P-23	Miscellaneous Scene	Witness recognized MICHLES and his interpreter.	29
P-28	Miscellaneous Scene	Reminded witness of water he saw coming in on the chopper.	29
P-168	Aerial photo of My Lai as annotated by witness	Witness oriented.	13

(The hearing reconvened at 1343 hours, 23 January 1970.)

COL WILSON: The hearing will come to order.

RCDR: The following named persons are present: MR WALSH, COL WILSON, LTC NOLL, and MAJ THOMAS.

The next witness is Mr. Larry G. HOLMES.

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

Please state your full name, occupation, and residence?

A. Larry G. HOLMES, Rural Route 1, Box 501, Peru, Indiana. I work for the General Tire and Rubber Company, Wabash, Indiana.

COL WILSON: Before we proceed, I would like to go over several matters.

The Peers Inquiry was directed by the Secretary of the Army and the Chief of Staff of the Army for the purpose of making findings and recommendations on the incident, which is referred to as the My Lai (4) incident of March 1968.

In conducting this investigation General PEERS decided that it was necessary to determine B/4/3's ground and air operations during this period, in other words, 16, 17, 18, and 19 March. He designated a team to interview personnel from B Company, called Interview Team C, which is this team. Mr. WALSH is a civilian attorney who has volunteered his services to the Secretary of the Army to assist General PEERS, and Colonel NOLL and myself have been designated as part of this board. All three of us are authorized to ask you questions.

Primarily we are trying to understand what happened from the B Company standpoint during the operation.

Your testimony will be taken under oath, and a verbatim transcript will be prepared. There is also a tape

recording being made in addition to the reporter's verbatim transcript.

Although the general classification of the report will be confidential, it is quite possible that the testimony, or parts of it, may become public knowledge.

During the interview, we will try to follow a chronological sequence: discuss a little bit concerning the training that took place right before going to Vietnam and after the arrival in Vietnam, or right before going and after arrival; the briefing which took place prior to the combat assault operation for B Company; who briefed you and so forth; the actual conduct of the operation during this 3 or 4 day-period; and any information which you may have on any inquiries or investigations which may have been made after the operation took place. Now, I want to emphasize that there is only one person who can make findings and recommendations on this subject, and that is General PEERS. That's not within our prerogative. We are here to try to find out what happened. He is the Investigating Officer and not us. We are just members of this board.

Do you have any questions on what I have covered?

A. No.

Q. What was your assignment on 16 March 1968?

A. Search and destroy mission.

Q. What was your duty assignment in the company?

A. I was a rifleman.

Q. In which squad?

A. Second squad, 1st Platoon.

Q. Second squad, 1st Platoon, B/4/3, which was part of Task Force Barker?

A. Right.

Q. How many squads were in the 1st Platoon on 16 March?

A. Two.

Q. Did you have any attached weapons with the platoon, that stayed with your platoon at the time, or were they organic to the platoon?

A. Just what the platoon had, just our own weapons, nothing attached.

Q. Where were you on 15 March? Do you recall which fire base?

A. LZ Dottie.

Q. You were at Dottie?

A. Right, we moved out from there.

Q. Let me ask you a couple of questions about training. Were you given any specific training prior--were you with the 11th Brigade in Hawaii?

A. Yes, sir.

Q. Were you given any training in handling PW's and noncombatants prior to leaving Hawaii?

A. We were briefed on everything, and classes--

Q. (Interposing) How about handling PW's?

A. Yeah, we were told how to handle them.

Q. What did they tell you? Did they tell you anything specific?

A. They said see if they got an ID card and all this, and you're not supposed to mistreat them and stuff like that.

Q. Was anything said about a penalty for the mistreatment of prisoners?

A. I don't remember.

Q. Were you ever given any instructions on the Geneva Convention?

A. Yes.

Q. Do you remember that?

A. Yes.

Q. Were you given a card on it?

A. Yes.

Q. Do you still have the card?

A. Probably at home.

Q. Do you recall any MACV pocket or wallet-sized cards, something like a Geneva Convention card, with the exception that it had the MACV insignia on it?

A. No.

Q. I will show you Exhibit M-2, which is a facsimile of a card entitled, "Nine Rules," a MACV card. This is the front page, and this is the second page back here. Have you ever seen that card?

A. No.

Q. This is Exhibit M-3, which is a card entitled, "The Enemy In Your Hand." This is a front and back page card, too. It is a facsimile. Have you ever seen that card?

A. I can't truthfully say one way or the other, because there were so many cards handed out. I may have, and I may not have.

Q. Do you remember some cards being distributed?

A. Yes, they passed out cards and stuff before we left Hawaii and after we got there and stuff like this.

Q. Do you remember any of the cards?

A. It was on general orders, you know, if you get captured and all this and stuff like that.

Q. What about "Roger's Rangers?" Do you remember what "Rogers Rangers" was?

A. No.

Q. Do you notice this card has some English translation? This doesn't recall anything?

A. No. We was passed out Vietnamese guide books, Vietnamese hand books, stuff like that.

Q. Were you ever given any training on how to report the mistreatment of PW's or noncombatants?

A. No.

Q. Let me start with some questions on the briefing prior to the combat assault, which we believe took place on the 15th, the briefing. We don't know exactly what time of day. Would you describe in as much detail as you can that briefing, if you can recall it, and who gave it to you?

A. Well, we were called together. One of the officers said, "This is what you've been waiting for, search and destroy, and you got it," but I can't remember who said it, whether it was one of the lieutenants or what it was. But I remember them saying this is what we have been waiting for.

Q. Now, where was this? This was at Dottie?

A. Right.

Q. Do you remember the time of day?

A. About noon.

Q. Does the day 15 March mean anything?

A. I can't remember the exact dates.

Q. You don't recall whether it was your squad leader, platoon leader, or platoon sergeant that briefed you?

A. It was either the platoon leader or Captain MICHLES. I don't know which.

Q. Who was your platoon leader at the time?

A. Lieutenant WILLINGHAM.

Q. Who was your squad leader?

A. Sergeant SIEGLE. No, wait a minute. It wasn't him. It might have been Sergeant LIAS.

Q. Was he your squad leader?

A. Yes.

Q. Do you recall whether you were briefed with a map or just orally?

A. They showed us on a map where we were going and what the mission was supposed to be.

Q. Do you recall what the mission of your platoon was?

A. Well, something like we had three hamlets that we had to search and destroy. They told us, they said they had dropped leaflets and stuff and everybody was supposed to be gone. Nobody was supposed to be there. If anybody is there, shoot them.

Q. You were told this at the briefing?

A. Yes.

Q. That anybody there was supposed to be shot?

A. That's what they said.

Q. What about your normal procedures in other operations?

A. Just search and that's all; not supposed to rough up anybody or anything, just search. Anybody runs from you and stuff, do your best to stop them.

Q. What are your instructions if they run from you?

A. Shoot them.

Q. Is there anything you do before you shoot them?

A. Well, you yell, halt, "dung lai," or something like that. Scream as loud as you can, and if they don't stop, shoot them.

Q. Did you ever hear about firing a warning shot?

A. Well, there was things said at first, when we first went over, you know, the warning shot, and things come out to say if they run, yell halt. If they don't, start shooting.

Q. Now, were there any questions in your mind that these procedures were not to be put in effect or that you were to follow these procedures when you went into operation? I mean, were you under the impression that anything that moved around in that area was VC?

A. Yeah, everything that was supposed to be in that village was supposed to be VC, because everybody else was supposed to be moved out. There weren't supposed to be any civilians there.

Q. Do you clearly remember there were three villages? Were these villages on the coast or inland?

A. Well, it was close to the coast, because when we moved out of the village 2 days after, we got hit right on the coast. Here's where, right on the coast (indicating) not too far away from here.

Q. What I'm trying to find out is were you told at the briefing that you were going to search and destroy these villages, or did this develop after you got into the area? Was this pointed out to you on the map?

A. This was told before we left for the mission, but then in between the mission, after all this started happening, we got another call that said to hold it.

Q. Well, we're going to catch that. I want to get everything that you know on this briefing and primarily who briefed you?

A. I can't tell you for sure who it was. I can't remember.

Q. Was the whole squad there when you were briefed? Was the whole platoon there?

A. It might have been a few, quite a few. I can't say that all of us were there, because of the bunker guards and stuff like that.

Q. Were you in a bunker?

A. No, we were right on top of the hill, right up by Colonel BARKER, you know, Colonel BARKER's....

Q. His bunker or trailer?

A. Yeah, right up near his bunker, pretty close. You could say halfway between the mess hall and Colonel BARKER's--

Q. (Interposing) About here (indicating)? You don't remember how many people were there?

A. It wasn't the whole company.

Q. I was trying to find out if it was a platoon or just a squad?

A. It's more or less a platoon of them. It may have been a few here and there.

Q. Now, this was clearly defined as a search and destroy operation? Had you had any search and destroy operations prior to this?

A. No.

Q. Did the procedures, when they went into the operation prior to this, include the destruction of villages?

A. There was some destruction.

Q. How about food stocks? What were you supposed to do with food stocks? I'm talking about prior to this operation?

A. Well, if there were large quantities of rice and stuff like this, we bagged it up and moved it. Mostly, you would find this in deserted villages and stuff like this, but we never--like, all the people were there in the village, we didn't take the food away from them. I may have scattered it around and searched it and stuff like this.

Q. What about livestock?

A. No, we never did anything with their livestock.

Q. What about this operation on the 16th? Were you told anything--were you given any special instructions on the disposition of food stuffs, to include livestock?

A. Destroy everything.

Q. Destroy it all: village, livestock, and food stocks?

A. (Witness nods in the affirmative.) That's what a search and destroy is, isn't it?

Q. Well, it carries a different connotation than search and clear, that's for sure.

A. Yeah.

Q. And the population as far as you are concerned was VC?

(Witness nods in the affirmative.)

You remember the words, "Kill all the people that were there. They're all VC"?

A. No, I can't say he said kill all the people. He said it was a search and destroy, and said, "This is what you've been waiting on." We stepped on mines and mines and mines day after day and nothing happened. Finally, this mission come out to search and destroy, and he said--people--leaflets had been dropped, and they were supposed to be gone. Anything there was VC and do away with it.

Q. What did you think the enemy situation was going to be there? What size force did you think you were going up against?

A. Well, the way they explained that stuff, it was a pretty strong force, because when we come in on the assault we received fire.

Q. Were you on the first lift or the second lift?

A. The first lift, I'm pretty sure. I can't say exactly.

Q. Do you remember what you were briefed to do, your platoon and your squad, when you hit the landing zone and got off the helicopters? What were you supposed to do then?

A. We were supposed to regroup and get together and get moving.

Q. Did you know where you were going at that point?

A. Yeah, we were going to the village. It took a long time to get there though, walking.

Q. What was the order of march within your platoon? Was your squad the lead squad?

A. The first squad was the lead squad.

Q. And you were following the lead squad?

(Witness nods in the affirmative.)

I want to give you a run down on the operation from the stand point of Task Force Barker, the big picture, as it was conceived and, generally, as it was conducted. This will maybe help bring it back to you. We're going to show you an aerial photograph of that area so you can recall.

(COL WILSON oriented and reacquainted the witness as to what transpired during the Task Force Barker operation on 15, 16, 17, and 18 March 1968. The photo Exhibit used in this orientation was Exhibit P-185.)

You said that you received fire prior to landing?

(Witness nods in the affirmative.)

Would you describe the type of fire and where it was coming from?

A. Some weapons fire, small arms.

Q. When you got out of the helicopter and as you faced the nose of the aircraft, which side did you get out, do you remember?

A. No.

Q. Were your doorgunners firing as you approached the LZ?

A. I can't remember.

Q. Do you know, or could you estimate, how far from your location where you landed the small arms fire was coming? How far away was the firing?

A. It was a good distance. I can't say.

Q. Was it coming from any particular place?

A. I didn't know. All I could do was just hear it crack.

Q. Are you sure that the firing was not U.S. weapons? Was it foreign weapons, or was it U.S. weapons?

A. It could've been, but it sounded like it was coming from the other way, the way it was cracking, because a bullet would crack when it come through that way.

Q. No, I was just trying to determine--you see, there was probably, at this time, a fire fight going on over in My Lai (4), or there was some firing going on over there, and I didn't know whether the firing that you heard was coming into you or whether it was something off at 1,200 meters away.

A. It could've been.

Q. 1,200 meters?

A. I can't say.

Q. Did you sense any rounds coming in?

A. Well, let's put it this way: I got scared.

Q. This firing must have been something that was coming your way. Based on that last statement, let me ask you a question. Did you have any different attitude, aside from a search and destroy operation, did you have any additional concern in the conduct of this operation than you did to any other operation?

A. Yes. They acted like it was a big mission. I mean, they told us to be ready for action.

Q. You thought you would get more resistance than normal?

A. Right.

Q. Do you remember a number of people, one or more people, hitting a booby trap earlier in the day?

A. Well--

Q. (Interposing) Do you know Lieutenant COCHRAN?

A. Yeah. There were a lot of booby traps, just so many. I know I could point exactly where I was that day.

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There's a bridge there. After we went through this one village, we walked back. We come back through; we went back across the bridge. We just come across, went through the village, and for some reason we cut back and went down that trail there (witness indicates on P-168) and came back. Well, we received fire before we got to the bridge, and it put us all on the ground. All of us were down. Then the gunships come in, started prepping the area, and we was all shooting too. We started back across the bridge and a mine went off there and got a guy.

Q. Who did it get?

A. TAYLOR.

Q. Was this the first day?

A. Second day, because we laagered that one night as a platoon. We were by ourselves. This was the day after the village. That's when it was.

Q. You've got it pegged. You're talking about the right time period. Now, what we would like to do is try to follow what happened during that period, and this is about the best photograph that we've got.

(COL WILSON oriented the witness on Exhibit P-168.)

When you landed do you remember how far it was from the aircraft to a trail which led to the bridge, or did you go overland?

A. Well, we went on some trails and sometimes we'd walk the trails and sometimes they wouldn't let us walk the trail. I don't know, but I know the more we talk, we did come back around, maybe more this way (indicating) coming back, but we were real close to the bridge when we come in. We come in and we were close to the bridge. It wasn't this far; more like an angle cutting into the bridge.

LTC NOLL: When you left the chopper, did you walk in the same direction the chopper was facing? When you dismounted from the chopper, did you go out towards the front?

A. Yes, we went out towards the front, but we made so many circles--

MR WALSH: (Interposing) Did you move right to the bridge after you got out of the choppers?

A. You could say that, that's just what we--

Q. (Interposing) That was what your job was?

A. That was the objective, to go into these villages.

COL WILSON: What happened when you got to the bridge?

A. We went across the bridge.

Q. No problem?

A. No problem until we hit the village.

MR WALSH: Then what happened?

COL WILSON: This is the first day now.

A. Yes, I know. I don't know. As soon as we got to the bridge, some shooting started going and everybody started running forward toward the village. I don't know if I want to say anything or not.

Q. Let me say this: we have no intentions of letting you continue without warning you that you do not have to say anything that would incriminate you. As I say, we're trying to find out what happened.

MR WALSH: I think it's fair to say that you're not suspected of having committed any crime, having done anything wrong, but in the investigation we're trying to find out what happened in all aspects of it. I suggest that we go along and you tell us what you want to tell us. Don't tell us

anything wrong, but if there is something you don't want to tell us, then don't.

A. The only thing I can tell you is what happened.

Q. If there are questions we ask and you don't want to answer, don't answer. Then we will go on to other things, but it is important for General PEERS to get the whole story on this thing. There were some things that weren't very nice that happened throughout the whole area there.

A. When I say we hit the bridge, there was just one platoon of us now.

Q. That's right, we understand that.

COL WILSON: Now, you say you received some fire from the village?

A. No, I didn't say we received the fire. I remember the shooting starting, and I remember everybody tore their ass in gear and starting moving forward.

MR WALSH: Did both squads do it?

A. Yes.

Q. And they were firing pretty heavily in there?

A. Yes.

Q. Were there just scattered hootches there, or was there a village, after you got across the bridge?

A. It was real ragged, not a very good village at all. It was more dug in, nothing like some villages, standing. This was all like bunkers and stuff like this and a few huts here and there, but not a nice hut, just scrappy things, just like maybe an open field, but little things. It was on an upgrade, this little village.

COL WILSON: Both squads crossed the bridge with no problems and what did you do, begin to sweep in the village?

A. When we first got across the bridge--some shooting started before we got across the bridge, and then everything cooled off. Then Lieutenant WILLINGHAM said for the machine-gunners to spray this village and spray this. You know, let things have it. I don't want to get in a big jam over something like this, you know?

Q. Do you decline to answer any questions on this village?

MR WALSH: Why don't we skip over this part and maybe come back to it after you think about it for awhile, but can you kind of skip over things you don't want to talk about and then pick up with what happened next in terms of your operation?

A. Well, I can just tell you when we start coming out of the village.

Q. All right.

COL WILSON: All right, what happened after you left the village, and about what time was that, do you recall?

A. It was afternoon, maybe in the middle of the afternoon, somewhere then. I'm trying to think. I know we moved back down and came back across the bridge. No, we didn't come back because we went up to the bridge and went down this way (indicating), right here, and I'm sure we laagered right there for the night afterwards.

Q. Somewhere in that area?

A. We never went too far, and we dug in real good that night, real good, because we thought we were going to get hit. It was just one platoon of us. We dug in the best we could get dug in and nothing happened, so we moved back through and....

Q. You moved back through the village?

A. No. Well, we did go in and look around, and we saw some people there and everybody hadn't left. That's when TAYLOR got hit that morning. He got his leg messed up. I was still back here (indicating) on a trail coming around to the bridge, and somehow they were gonna change squads. The second squad was going to take point because they walked it

the day before, and everybody was kind of shitty because they had to walk point every day, so they were going to change us around. I was leading a second, and TAYLOR said, "I'll check the bridge out," and that's when TAYLOR got it.

Q. You were with the point group at that time?

A. I was starting to come back up see, because the second squad was going take over the lead and go on out from there, but TAYLOR decided he thought he'd go up and look around.

Q. Well now, when TAYLOR was wounded, was he wounded on the bridge or on this side or the other side?

A. It was this side over here (indicating), going back across from the village. It was right in front of the bridge. It was almost on the bridge.

MR WALSH: It was on the same side that you laagered on?

A. Right.

COL WILSON: After he was wounded what happened?

A. We started receiving fire.

Q. From where?

A. From back towards the village.

Q. From that village that you were in at first?

A. The village the first day that we went in. We started receiving fire. That's when the gunships come in. Everybody was shooting, the gunship and all. I can't say whether they called in artillery or not, I think they did. I think somebody was trying or something. Everything was so mixed up. We were trying to get TAYLOR out with the medevac, and I don't know.

Q. Now, these gunships, do you remember how many it was?

A. I think it was one, one or two. It was two because it was one to begin with and then another one started circling with him. Just making a circle, making a run through and then coming back and then making another run through.

Q. Do you know what type of weapons they were firing?

A. The miniguns is all I can....

Q. They were?

A. Yes.

Q. Were they firing on the village that you had gone into the first day?

A. Yes.

Q. Did the firing which was coming out of the village, did it stop before or after the gunships arrived?

A. I can't say. Fire was received from the village. It was quite a bit at first. In this village here (indicating)-- or a hill. Like I say, it's up on an upgrade or a hill up on top. We was watching the hill, but it was more coming right straight in back of the village, coming right straight at us. We was on an angle on the trail. I don't know, we received fire, that's all.

Q. You didn't receive fire the first day, but you received fire the second day from that village?

A. I never said that we didn't receive fire, all I said was a lot of shooting going on before we got up there.

Q. That's right. When did B Company cross the bridge, the rest of the company? Did they cross before these gunships came in or after they fired?

A. Afterwards B Company come across and then we re-grouped, and then we went up the coast.

MR WALSH: You went to the right after you crossed the bridge?

A. Then we went this way, because I remember the curve in the point out there (witness indicates on Exhibit P-168).

COL WILSON: Now, the three villages that you were originally supposed to destroy, that you got in that briefing. You said they were near the coast, didn't you, as you recall at that time?

A. Well, that's the only one village in 2 days the 1st Platoon seen. That was the only one they was in because we turned around and night laagered at the one on up. Pinkville is all chopped up, so much artillery and the jet strikes, and it's all messed up.

Q. When you went down the coast or up the coast, do you remember going all the way down to the end where there was the mouth of a river coming there?

A. We never went all the way to the end, but we went quite a way down.

Q. You probably used this type map over there, which is the 1:50,000. You know Pinkville is the pink area (indicating on Exhibit MAP-5)?

A. Our company, after we got together, we moved on up in here, on up, farther up here, in a coconut grove. We laagered there for the night. That would be the second night, because we went in at the day time, and that's when we got hit hard, real hard. That was the night we really got blasted.

Q. That was from the mortars, right?

A. Mortars, and it was weapons firing too.

Q. That's right, you did have some small arms fire. Do you recall crossing the bridge, after that incident at the bridge, heading down the coast here?

A. And turned around and went back.

Q. There's a big hill off here down here at the end.

A. I can't say. I can't remember right offhand. All I know, the next couple of days we were up here (indicating). We went one way, and we grouped up gobs of people out of this village, grouped up a whole mass of people, and we had them down there and had them all grouped up, women, kids. I couldn't say, because we went up here. He had us going both ways. We were bringing them from this way and this way too (indicating). We had them all massed up. We got so many we had to quit getting them, it was so many people.

Q. We believe this was the last day of the operation. What we're trying to recall is the second day, when B

Company joined you. Primarily, our information is that B Company crossed the bridge that day, that they moved south on down the peninsula here, down through these towns, on down to the end, and then turned around and came back. Now, we're talking about a distance from the bridge about 3 miles down, 3 miles back?

A. We didn't laager there that night there though. We came back.

Q. Well--

A. (Interposing) That's what I say.

Q. This is questionable--

A. (Interposing) Because we laagered up here (indicating) in the coconut groves that night. That's when we got hit hard. It was all mixed up, everything.

Q. You remember very distinctly the night you were hit so hard.

A. Yeah.

Q. Do you remember that day when you rounded all those people in the villages? Do you remember a MEDCAP coming in there?

A. What, that morning?

Q. Sometime that day?

A. What, to pick up our wounded and dead?

Q. No, to treat the villagers, give them medical teams?

A. I don't remember anything like that.

Q. Do you remember when you assembled those villagers? Were they down on the beach or inland or where? Where was the collection point?

A. I can't--all I can--when we collected--we laagered here (indicating). We grouped the people here, then after we grouped them, we never did anything about it. We moved back up here, and that's where we laagered for the night. We got mortared

from this side here, and that morning after it was all over the medevac came in and while the medevac was coming in that night, and then we went back. It was our squad, we went out and we tried to locate where we got mortared from, and we did. It wasn't 400 meters away from us; it was real close.

Q. Do you know who went out on the patrol to find out where that mortar position was located the next day?

A. Sergeant LIAS, myself. I can't think of their names, but I can see their faces.

Q. Did you find the mortar position?

A. Yes.

Q. How do you know it was a mortar position?

A. Because you could see where they had that pod and stuff and a log where they sat there 2 or 3 hours drinking coconut juice waiting for a chance.

Q. Did you see any signs of a mortar?

A. No. I don't know, it was just--like I say, you could just tell where they were at. You could see where our 81's that were shooting back that was with us that night, because there was some dud rounds that never went off.

MR WALSH: Did you see Sergeant LIAS do something to one of the guides that took you out there?

A. Yeah.

Q. What did he do?

A. Beat the hell out of one with a weapon.

COL WILSON: Why?

A. Cause MILUS got killed that night. He got a direct hit.

Q. Did he get hit in his foxhole?

A. Right.

Q. How many rounds came in that night?

A. Well, maybe a dozen, maybe six, I can't--because as soon as they start coming in everybody started shooting and artillery started coming in. I didn't even know, because our 81 was setting back up behind us. We was covering the front here. We was on the front line covering away and the 81's--I didn't even know they'd received rounds behind us. I know we received rounds close to me and all. It seemed like to me they had two mortars or something, because there were hits so many different places. It just couldn't have been one mortar. Early that afternoon, that's what I told my platoon leader. I'd seen somebody running and it looked funny. He was running. We was searching around, and this was that afternoon, and we was back in this--little ways from where we laagered. Somebody come through the bushes and then run back, and I didn't have a chance to--couldn't tell whether it was a man or woman or what it was. It just seemed funny, and then later on, I'd seen when we was back in our laager position, I'd seen somebody out front run across, but I didn't say anything about it. It wasn't much you could say. We was expecting it anyhow, because we were shooting the M-79 before we ever got mortared, for the prep.

Q. Do you remember a C-47, a "Spooky," coming in that night firing? Did you hear the firing?

A. Yes, I seen it.

Q. Was he firing generally in that area where the mortar was, or was he just spraying?

A. He was just spraying. He went all the way out to the end and sprayed all the way down. They was just so close. I think they just walked off after everything cooled off. They were so close to us.

MR WALSH: I'd like for you to think real hard about trying to put these time frames in the right order. The operation, as we understand it, the operation which you have described, of rounding the people up and taking them down and having them all sitting on the beach and everything, happened on the 18th. The time that you went across the bridge that you don't want to talk about happened on the 16th. Now, as we understand, as Colonel WILSON said, on the 17th just about all

of B Company, except for possibly the 3d Platoon, which stayed by the bridge, the other platoons moved all the way to the river and back again?

A. They did. It's so fouled up I can't remember all of it, it's just--

A. (Interposing) Okay, then without regard to movements or exactly where you were, can you tell me how your platoon moved during this operation in terms of which squad was in front and which squad was in the rear? Did it change, or was it normally one in front and one in the rear?

A. Sometimes one squad in one place and sometimes one squad was in the other.

LTC NOLL: Did you normally go in a column, or did you spread out, or how did you move when you were down in that coastal area?

A. When we was on the coastal area, I don't know. Everybody was scattered a little bit of everywhere.

Q. The path running down and the hootches would be off to the side and you would have to scatter out in order to search them. Did you receive any word to burn the hootches as you moved through? I'm talking about the instructions to burn the hootches when you were getting the briefing. Now, when you get out there, I assumed you burned the hootches the first day or so anyway. Did you have some demolitions people working with you? I don't mean outside of the company; I mean people who were trained to use demolitions.

A. We had guys that could use them.

Q. Was everybody in the company using demolitions, or was it just the point people?

A. Mostly point.

Q. They had some training in demolitions, haven't they?

A. TAYLOR did, and HOOTON.

Q. Now, during the time you were out on the beach area, either the second day or third day, it's mixed up in your mind I know. Do you remember whether the hootches were

all scattered out or were there any fairly good size villages?

A. There was a fairly good size village on down there. There would be some hootches here. It was a clean village, really. It hadn't been hit too hard. There was a lot of branches, you know, branching off everywhere, and more people in a village than I had ever seen. I can't--there was just so many people.

Q. Was that the villages up north, up there where you were on the 18th, collecting all the people and sending them all back to one big group?

A. Yeah, we were bringing them back this way.

Q. The big village is up in there?

A. Yeah.

Q. When you were still down lower, did you run into any smaller villages?

A. They were all small. It's hard to remember. It was so long ago and it's so mixed up anyhow.

COL WILSON: Who were you working with that day?

A. Sometimes a couple of us would just get together and work with ourselves.

Q. Didn't you pair off into pairs? I think that is common procedure for search operations. Who were you working with that day?

A. I can't remember.

Q. Do you recall some actions going on across that body of water? You had the sea on your left. You should have had. I am talking about the second day after the accident at the bridge, the gunships and you started moving out.

A. When we laagered in here?

Q. No. I'm not talking about laagering one night by yourself. One night by yourself; that's when you made that very good position because you thought you were going to be hit. You went to the bridge the next morning, and that is when TAYLOR lost his foot. That is when the action started and the gunships came in. After that, B Company moved across the bridge, and B Company started moving south, with the

China Sea on the left and that river, called the Kinh Giang, on the right. Now, also on the right, on the other side of this river, working up in here is C Company. B Company was moving down this way and C Company was moving on the other side of the river, down towards this hill. There was probably some activity and probably some burning. You may have seen some fires over there or maybe you heard some firing. Also, there is a possibility that you could have seen some swift boats out there on the seaside. B Company, most of that second day, after they crossed that bridge and after the gunships came in, spent most of their time moving up and down coastline.

A. I remember, I don't know if it was the same day or not, we burned some other villages too.

Q. You mean on this particular operation?

A. That's what I'm trying to think.

Q. We understand there were more villages burned down here.

A. That could have been us. I don't know. I don't think I could tell you all what happened the day afterwards, so much happened.

Q. Well, the night laager position that you moved into, according to what we understand, you had a pretty rough time digging in there, because of the sand. Is that correct?

A. You couldn't get nothing real deep, because it was caving in. There were lots of old tin cans around. Like an old ARVN camp or something.

Q. Weren't you on the coast, right by the sea?

A. Right by the sea.

Q. Do you remember when you moved back to the north? This would have been the day before you left the area, and before you moved down the strip of land where all of those people were. Do you remember crossing a bunch of sand dunes or a sand area that was difficult to walk in, for about 200 or 300 meters? It should have been pretty hard walking.

A. Yeah.

Q. Depends on what you were carrying, but I think you would have recognized that as pretty rough walking.

A. I can't say. After we got everything cleared up that morning, after the night we got hit, which way we did go, I can't say. I can't remember.

Q. The reason I mentioned this, the only reason I think you might remember, and you might not, but what direction were you going, north or south? Whichever direction you started in, the China Sea would be on one side or the other. If you were going south it would have been over your left shoulder, and it would have been there, and the opposite if you were going north. That's not too important anyhow. The reason--you mentioned three villages. This is what we understand, because, from what we can determine, that is what happened: that My Khe (4), Co Lay (2), and Co Lay (3) were burned, and those are three villages. Now, I don't know if those are the three villages you were briefed on or not. It could have been three others.

A. What was the second one you said?

Q. After the first morning there were three villages that were burned, My Khe (4), Co Lay (2) and Co Lay (3). That is to best of our information. One on the extreme south, one a little further up and one right here.

A. I can't say if we did or not. I can't remember if we burned them or not.

Q. The three villages that you remember in the briefing, I wonder if these were the same villages. Do you ever recall who briefed you? Do you recall the next day, or the second day, you laagered, moved back toward the bridge, and you worked around this general area? Do you recall seeing any bodies down in there?

A. Wasn't any. I didn't see any.

Q. There were still people around here, you mentioned.

A. There were a few little fires going.

Q. Did it appear to be business as usual down here?

A. There wasn't anybody running around. It was just real calm.

Q. I don't suppose you would recall, but there were villages down in here, about this area. Do you recall going through villages, where there were any more people that day? That is after the first night laagering when the platoon was by itself and after TAYLOR was wounded and evacuated and you moved out again. Do you remember going through any villages where there were people?

A. I don't even know where we went after that. All I know is that we ended up here where we laagered. We gathered so many people. Guys were going one way and other guys were going this way and searching and grouping everybody up. I don't know what we were doing this for. We never did anything with them after we grouped them up.

Q. Well, you didn't stay with them? Didn't you turn them over to the collecting point and go back to your area?

A. Yes, and then, go out for more. Because I remember I would have to walk up and down the sand. We were getting kind of tired bringing them down there.

Q. We understand that a medical team came in there and did some medical work.

A. They may have, but I was running around there trying to gather everybody up.

Q. That's what I say: I think there were some activities going on. You were collecting them. There was another group handling them for other purposes. Do you recall, and this could have been the second day, I'm not sure, a woman being brought in wounded and a helicopter coming in to take her out?

A. The one TAYLOR was using for point?

Q. I don't know. It could have been, and I'm not sure it was at the bridge. There was a woman that was wounded, and they brought in a helicopter and took her out.

A. I don't remember that. I know that TAYLOR had a woman in front of him.

Q. Was it a woman or a man?

A. A woman. He sat her down beside a tree before he went to the bridge.

Q. That was after he sat her by the bridge? That is when he hit the mine?

A. I'm pretty sure. It might have been that woman that got hit too. I think I remember after I got up there, because after everything started happening, I never did get up there, because we all were on the ground after the shooting started. She may have got hit with him. I don't know.

Q. Was he using her for a point?

A. Yes.

Q. How long did he use her?

A. I think it was after we burned the village he grabbed her. Maybe it was before then. I know he used her before we walked to our laager position up here by that one tree, for that one platoon that night; he had her.

Q. You mean the first morning?

A. The second morning. It could have been the first morning, or it could have been the second morning. I don't know, but he had a woman walking up there; that's all I know.

LTC NOLL: Did you see her with you in the laager area that night?

A. I can't say that I did, sir.

Q. Did you see her the next morning?

A. She was there the next morning. I just can't remember. She may have been there all night.

COL WILSON: TAYLOR was in the laager position that night, wasn't he?

A. He was there. He had to have her with him, he had to. I remember he had a rope tied to her. She was leading out front, and he had a rope and had ahold of her.

Q. Did you have an interpreter with your platoon during this period?

A. No, I don't think so.

Q. Did you see an interpreter at any time or Vietnamese during this period. Did you see any National Police out here?

A. No, sir, I didn't.

Q. Did you see any ARVN interpreters out here?

A. No, sir, I didn't.

Q. Let me show you some photographs, and see if you can identify any of the people in it.

A. That's HUFFMAN.

Q. Exhibit P-18 you believe is HUFFMAN. Do you recognize any Vietnamese there?

A. No, I don't know any.

Q. How about P-19?

A. No, I can't tell.

Q. P-20?

A. That's HOUGHTON.

Q. The man with the bar is HOUGHTON. What about the man bending?

A. This is the weapons squad. I can't very well remember the names. I've seen this guy before.

Q. The man on the right rear with the helmet, you can't identify him. How about the other U.S. types in the picture?

A. I can't say.

Q. Does this look familiar?

A. A lot of the area looks the same.

Q. P-21? Do you recognize any of those people?

A. I can't remember.

Q. How about P-22?

A. No.

Q. P-23?

A. Captain MICHLES.

Q. The man on the left is Captain MICHLES.

A. And that's his interpreter. I can't think of his name.

Q. This man in the center is the interpreter?

A. I know he had one a couple of times.

Q. Is this the Vietnamese you are talking about or the American?

A. That's a Vietnamese.

Q. What about the man on the extreme right?

A. That looks like-- I can't tell you his name.

Q. Do you recall whether this Vietnamese interpreter was with the company?

A. I can't remember.

Q. Did you see him very often?

A. I seen him a couple of times.

Q. This photograph right here, does this look familiar? This is P-28.

A. There is water up here, and it reminds me of water spots when we came in on the chopper. It could have been our landing zone. I can't really say. The trees around remind me of where we came in.

(COL WILSON orients witness to Exhibit P-28.)

MR WALSH: Let's go back to a point before you crossed the bridge the first day. When you got to the bridge there was a squad ahead of you and you were in the second squad, if I remember correctly. Where was Lieutenant WILLINGHAM? Was he in the middle or was he in the front or was he in the rear?

A. In the middle, I would say more in the middle.

Q. Did you proceed on in single file across the bridge?

A. Yeah, because the bridge was just wide enough; it wasn't no large bridge. It wasn't that big of a bridge.

Q. You don't remember receiving any fire when you crossed the bridge until you got to the other side?

A. Well, when we came around--I was back aways. The shooting started and I remember us running up there and then everything quieted down for a few minutes and then Lieutenant WILLINGHAM had Joe MADISON spraying some of the area there with a machinegun.

Q. Where did you have your machinegun set up, on the--

A. (Interposing) He had it on the side.

Q. And shooting across the river?

A. We were already across the river.

Q. He's got it set up on the side?

A. Well, he was just holding it, you know.

Q. Okay. Could he see anybody he was shooting at or was he just spraying the hootches?

A. He was just spraying. He wasn't shooting at anybody.

Q. Could you see any people there?

A. Not at that time, I didn't.

Q. I realize you are reluctant to talk about this, and I don't want to force you to.

A. I don't mind talking, but I don't want to get a bunch of guys in trouble over something. They should have bombed the whole place a long time ago.

Q. Well, now, I understand your reluctance on that score, certainly, as to anything you are concerned about yourself, just leave yourself out of it.

A. These are guys I was over there with. I mean, I just can't see causing anybody trouble. We were told, before we left, to search and destroy. That's what I went in there for, to search and destroy.

Q. They were there, and Lieutenant WILLINGHAM was there, too?

A. Yeah. After Joe sprayed the area we went on down into the village and we was in one single file. We laid down, and Joe set the machinegun up.

Q. This is about how far from the bridge?

A. Oh, I don't know, maybe 300, 400 meters. It wasn't very far. It was just, right around the corner, there.

Q. Turn the corner and maybe 300 or 400 meters down?

A. It wasn't very far, but after we turned the

corner at the bridge, it turned. After Joe sprayed--see, Joe sprayed some first, and then we turned and went in, and we stopped right there in front of these hootches.

Q. Is that collection of hootches a little ways down?

A. Just a little. It was just raggy stuff.

Q. Why don't you tell us what happened without naming names?

A. Then we started shooting.

Q. Everybody in the platoon?

A. I'd say everybody. Everybody was shooting, and people were on top of this hill and running around like crazy people.

Q. This was the hill before you went down to the ocean? Was a kind of hill between the path where you were and the ocean? Do you remember?

A. All I remember, it was like a--well, they were sitting down at the bottom of a--like on top of a small hill. Nothing--you know, just like an upgrade, but it got pretty high at the top, and everybody was shooting.

Q. Were people running?

A. Yeah.

COL WILSON: Anybody trying to stop these people from running?

A. I didn't see anybody trying to stop them.

Q. Nobody was hollering at them to stop or anything?

A. Well, when I went in, you see, I was at the end, see, almost or pretty close to the end. Everybody was shooting, you know, so I went on. Maybe a few guys wasn't shooting.

MR WALSH: You just heard a lot of firing and saw a lot of people running around getting shot up above?

A. After this happened we got this call that said don't shoot any more, you know. Lieutenant WILLINGHAM--we never even went up on top of the hill to see. If we hit anybody, I can't say.

Q. Lieutenant WILLINGHAM said to stop? After you had shot some of them up there, he said to stop shooting the people?

A. I don't know if we hit anybody, you know. I didn't go up to look to see if anybody was lying up there. Well, it was quite a while because they brought in TNT. A chopper brought in TNT, a hundred sticks of it, a whole case of TNT, and it was thrown in bunkers and stuff, and blowing everything up and burning.

Q. Shooting the people if they came out of their bunkers?

A. I didn't see that.

Q. Did you hear about it?

A. Yeah.

Q. How many hootches were in this area that this was going on?

A. There wasn't much there. A lot of underground stuff. Nothing nice.

Q. Did you have any TNT with you when you started on the operation?

A. Some. They called in for more.

Q. A chopper set down?

A. Yeah.

Q. Where did it set down, near the end of the bridge?

A. No. It set down right in the middle of the village, right there by us. That's where I think it set down.

Q. Could this chopper have set down and brought the TNT to you at the same time that they brought in your chow for that night, or maybe the next night?

A. It may have. I remember we had other, it wasn't only TNT, we had other supplies such as ammo and stuff like that, because we shot quite a bit of ammo.

Q. This first little hootch, after the people were shooting at the people at the top of the hill, then I take it that the platoon spread out and searched these bunkers and hootches and blew up the bunkers for the rest of the day, or did you move along at all?

A. I didn't move nowhere. Maybe up front they were moving around, but I was lying right there beside a tree. I don't know about anyone else.

Q. What was Lieutenant WILLINGHAM doing at this time?

A. I don't know. I didn't see him. I was waiting for word to move out.

Q. You were toward the rear?

A. Yeah.

Q. I take then it was the 2d Platoon that was searching this particular hootch and blowing up these bunkers? You were in the 1st Platoon?

A. Yeah. It was the only platoon in there.

Q. I'm sorry. I'm talking about squads. You have to forgive me; I'm a civilian. You were in the second squad?

A. Yeah.

Q. You were sitting down beside a tree most of the time during the day?

A. Yeah.

Q. Was this because the second squad was told to sit down, and the searching of the hootches was being done by the first squad?

A. It was more or less that way.

Q. More or less that way?

A. We were set up in our defense.

Q. Did any of these guys find any women in any of the hootches?

A. I can't say, I was still there. All I can say is by hearsay from talking to them, you know, in a bunker and one guy is telling the other, "Try and shoot them as they are coming out." That's all hearsay.

Q. The area that you were in didn't have so many hootches in it that it took all day to clear them all out, did it? In other words there was time, part of the day, when everybody didn't have to work too hard?

A. Yeah.

Q. After that area had been searched and the hootches had been cleared out, did you move on, or did you more or less stay around that area toward the end of the bridge the rest of the day?

A. We were trying to stay around until we got the word to stay on the other side of the river there and set up there for the night and make that night laager there.

Q. Do you remember if somebody found a booby trap in one of the hootches?

A. I don't remember that.

Q. A couple of cartridges rigged up to a firing mechanism so if somebody came in a bunker or hootch it would shoot them? Do you remember that?

A. I may have heard about that, but I didn't see it.

Q. Do you remember if anybody except TAYLOR picked up women that they took to their laager area?

A. I don't know of anyone. I'm not sure if she was there or not. She must have had to have been. I can't--I was trying to take care of myself and get my hole dug.

Q. Do you know if she was raped by anybody in the platoon?

A. No. I didn't even hear a word about that. I don't even think so.

Q. She wasn't a very good looking woman?

A. No, none of them were, to me.

Q. Now, do you remember hearing Lieutenant WILLINGHAM make any reports of body counts during the day?

A. Something came up about a body count one time. It was way up there. This was for a whole deal, not just for us, but for some other company and all of them together. I remember writing home something about that. I remember a count of over 400. I'm not positive, I don't know. The paper back home said 122 men was killed, but it couldn't have been that many people.

Q. How many would you guess from that first day around the area where you were?

A. I don't know. I wasn't on top of the hill. I didn't count them.

Q. Colonel WILSON talked to Lieutenant WILLINGHAM, and he asked him how many civilians were killed or wounded in your area. He said, "I know of 28."

A. That could be.

Q. That wouldn't be--

A. (Interposing) I don't know how many got killed. People were running around. I remember one incident: it seemed like people running even toward us on top of the hill and back towards the top of the hill. Maybe they were all mixed up too, didn't know where they were going. I remember several times people coming up over the hill too.

Q. The people would shoot them when they would come up over the top of the hill?

A. Yeah.

Q. What was done about burying people?

A. We didn't bury any people.

Q. You didn't pay any attention to them?

A. I didn't go up to look. Lieutenant WILLINGHAM wouldn't let us go up. Maybe a few of them did in the first squad, but not the second squad. I don't think anybody was going up there.

Q. Did anybody ask to go up and take a look?

A. I did.

Q. What did he say?

A. No.

Q. Did he say why?

A. He told me to shut up and stay where I was at. I wanted to go up and help a little bit, you know.

Q. Was there women and children up there that might need some help?

A. It wasn't that kind of help.

Q. Did you hear them up there?

A. I didn't hear anybody yelling or screaming or anything.

Q. Do you remember if Lieutenant WILLINGHAM said anything or you had any discussions about whether women and children had been killed and not to talk about it at all?

A. No, I remember Terry REID getting all shook up and running off at the jaw a lot.

Q. What was he saying?

A. "Why did you do that," and I can remember distinctly he was shooting his M-79, because I remember he had a dud round, it just went "puh" a little bit. I remember he shot up on that hill too.

Q. Was he running off at the mouth about clearing the bunkers too?

A. He ran off at the mouth about anything we did.

Q. What squad was he in, your squad?

A. He was in the second squad with me.

Q. Do you remember if you gave medical assistance to any of the Vietnamese around there that day?

A. I don't remember that.

Q. Did you call for any medevac for any civilians?

A. No, I don't remember.

Q. Do you remember generally what the operations were like on the next day, when the whole company moved down through that area? Was it generally search and destroy?

A. Maybe we burned more places. It's possible that we did. I can't remember.

Q. Do you remember if the people in the platoon were pretty angry and upset over TAYLOR getting wounded?

A. Yes, everybody was all--TAYLOR was idolized. He was like MILAS to the soul brothers; TAYLOR was like this to us. MILAS was their idol and he was ours. Maybe not our idol but we respected him a lot. TAYLOR was a good soldier and so was MILAS. Both of them were very, very good soldiers. They knew what they was doing. MILAS was the best machinegunner we had. TAYLOR walked point constantly. That's all he ever did is walk point, him and HOOTON and I think B.J.

Q. B.J.? You mean TITTLE?

A. No, this guy's--his first name was Beverly.

Q. Beverly was the first name? I bet they gave him a little trouble about that. Was he NEEDLE?

A. No, that was TITTLE. TITTLE was another one that walked point. Beverly, I can't think of his last name. He got infused to the MP's in Saigon. I don't know if TITTLE had malaria or not. He may have already been gone. He caught malaria.

Q. In addition to the people up on the hill that you didn't go up to take a look at, I would like you to look real hard and see if you think of the bodies that you saw around that area during that first day, leaving out the people up on the hill that you couldn't see, but these people around the hootches and the bunkers.

A. That's the only place they was that day.

Q. The only place was up on the hill?

A. Right in that area. We weren't with the rest of the company or anything. I may have seen one or two. I don't know.

Q. There weren't any people in the bunkers that day?

A. The first day? They were running to bunkers. They were getting into the bunkers and they were searching them out.

Q. But you wouldn't see the bodies if they stayed in there when they blew them?

A. I wasn't blowing the bunkers. I wasn't there. I was down below on the ground, and the first squad was up there doing the searching and, you know, blowing the bunkers up and stuff like that. I wasn't in on that. I had to stay there. I wanted to help search too. Like I say, I had to stay where I was at.

Q. Were you pulling security or something?

A. Same thing you might as well say.

Q. Was the platoon CP around you, or were they with the people doing the searching?

A. They were up around where the searching was going on.

Q. So you wouldn't have heard very many radio transmissions during the day then?

A. No. Someone came back there and told us no more shooting, to stop the shooting. Don't shoot any more. We sat there for quite a while, then we moved back and laagered that night where we dug in.

LTC NOLL: What time of day was this?

A. It was getting on.

MR WALSH: When you got the orders to stop the shooting, you weren't shooting. How come you got the order to stop shooting when nobody was shooting?

A. What do you mean there wasn't shooting?

Q. When you got the order to stop shooting, people were shooting?

A. Guys were firing.

Q. I'm just trying to fix the time, that's all.

A. Like I say, every once in a while somebody came running up over the hill. When these guys went from the squads up there, that's when we stopped shooting. That's when we started blowing all this stuff up. They were shooting around up there but we stopped shooting. There was no more shooting from us. We just sat there and watched.

Q. But this order that you got to stop shooting was only directed to the squad in the rear because the people that were doing the clearing, they had to keep shooting.

A. I don't know. I wasn't on the radio. I don't know what was going on.

Q. Did you have the impression that the orders to stop the shooting came from higher up or from Lieutenant WILLINGHAM?

A. That's what I thought at first. I was thinking that the other day, but now it's kind of changed, you know, the way I thought, because everything was mixed up. Maybe it was Lieutenant WILLINGHAM who told us to stop shooting so the other guys could go in and start blowing things up. That's the way I feel now. They might have been from higher up. I don't know.

Q. Tell me, did you find any steel helmets or uniforms or web equipment or that kind of stuff that first day?

A. I didn't search.

Q. Do you know if anyone else in your platoon did find that kind of stuff?

A. No.

Q. You know they didn't, or you just don't know?

A. I don't know.

Q. Did you find any grenades or ammo or things like that?

A. I don't know.

Q. Any weapons?

A. Not that I know of.

Q. On the second day, do you remember finding a bunch of booby traps and mines and destroying them sometime in the morning after you moved out.

A. Before TAYLOR got hit?

Q. No, after TAYLOR got hit. It was further south than that.

A. We may have. I can't say for sure, but we may have. There was a lot of stuff around there.

Q. Do you remember coming to a pretty big village and taking a break to fill your canteens and rest for a while?

A. We did that several times. I can't say particularly that day, but we usually did when we got into a halfway decent looking village. We would get water and pour some over our head and stuff.

Q. Do you remember when you were moving south the second day, after TAYLOR got wounded, what the procedure was in the platoon when they were moving? In other words, did they have a point group going through and checking the hootches and blowing the bunkers and having another group coming behind them and burning the hootches? Do you remember any way that the platoon was set up to operate in that way or some other way?

A. No, I don't. They could have been but I don't remember.

Q. You don't remember any specific orders for one squad to do one thing and one squad do another thing?

A. A lot of times you would go along and blow up things like maybe this well or something. You see a round or something in there you blow it up. A lot of things look suspicious. Like, just a small bunker on the ground. Instead of trying to crawl under it, maybe it looks like it may be booby trapped. You just blow it up, you know.

Q. That platoon did an awful lot of firing that day, didn't it?

A. Our platoon? A lot of shooting.

Q. How many bodies would you say you saw that day altogether?

A. The second day? I can't say. I don't know. I mean, I just don't know.

Q. Quite a few though?

A. I can't say that either.

Q. More than one?

A. I can't say I seen any. I can't remember, because all of it don't come back exactly. It's been so long I just can't remember.

Q. It's been a long time ago.

COL WILSON: Where did you get your gunshot wound?

A. I didn't get one.

Q. Did you get a Purple Heart?

A. No. When we went up north my leg gave out, and the cartilage went out in my leg, and I had to go to Japan and be operated on.

Q. When was this?

A. Right at the end of July because I was in the Japan hospital August the 1st, and I got operated on August the 9th.

Q. That was the end of July that you went to the hospital?

A. Right.

Q. Where did you go from the hospital?

A. Home.

Q. You went straight to the States?

A. Yes. Well, after I got better and went home on leave, then I went to Kansas, 24th Division, and went to Germany, and then came back and spent the rest of the time in Kansas, and then come home.

Q. When you were taken out of the area, we believe it was on the 19th, do you remember what fire base you went to?

A. What is the time you are talking about? When I left Vietnam?

Q. No, we're back at this operation.

A. Oh, you're back there. All right.

Q. When you left the operation, you went back to a fire base. Which one did you go to? Do you recall?

A. I think it was at Dottie. We had this other mission. It's been so long, that's why I got confused over the assault mission. We got hit bad, so many mines, and I get them two confused, being a bad mission. I just can't get them straight.

Q. This was a bad mission?

A. The assault.

Q. Which one?

A. The one we went on here. Yeah, I think it was a bad mission.

Q. You mentioned that was there another one?

A. Yeah, we hit a lot of booby traps.

Q. Was this back in your regular operational area, or was it down in here too?

A. This was a regular operation.

Q. Back up in the peninsula there?

A. Yes.

Q. Do these operations stand out in your mind as being the two worst?

A. Well, the ones that I remember the most--a lot of times, you know--I don't know. Then two stand out the most in my mind, maybe not in everybody else's, because I remember when we were on the salt. We were upon the causeway getting salt for about 7 days, and it was pretty sickening, you know, and Colonel ADKINS, we wasn't under Colonel BARKER then, and there wasn't no security. It was just get the salt. There wasn't much security, and they walked in on us and shot a couple of guys, you know, just shot them and got away. We fired a few shots but that was it. The next day Captain MICHLES sent the 1st Platoon back across, and a lot of guys knew they mined it that night. I heard some guys saying they were guarding the causeway. They said they seen movement and asked to fire, but he wouldn't let nobody fire or call in artillery, and they mined it. Like, when we first walked across the causeway, they had this stick sticking up, and they had a little leaflet on it, you know, "Your statesmen will be protected," and all of this other rot. They had a lot of leaflets laying around, and we got in there and this guy--the night before slept with us just one night. He set off a mine by a tree, and he got blown up, and then a couple of other mines went off. We lost a lot of guys. We were real short of men.

Q. What were you doing? Securing the Vietnamese salt?

A. We were taking it. We were taking all the salt. It was right along there.

Q. I think I understand why that other operation stood out in your mind. Why does this one stand in your mind?

A. I don't know. It seems like the two run together for some reason. I get them two confused. I can't think straight as to what happened.

Q. B Company took 16 casualties for that 4-day period.

A. How many from the 1st Platoon was there, do you know? There was quite a few.

Q. I don't know. I don't have it broken down by platoon. Does the number of casualties, does this--is that part of it?

A. You know, everybody was worked up. You were afraid to take a step because a mine would go off. I don't know, them two just confused me so bad because everytime you would hear a boom you would squat down or lay down.

Q. Was there any change in the procedures of tactical operations in B Company after this operation? Did you go on business as usual after you got into your regular AO, search and clear.

A. We didn't--I don't know. There might have been a few instances where we blew up something, but nothing like that one mission.

Q. Were most of them platoon-sized or company-sized missions after that?

A. You mean when we operated off the fire base?

Q. Yes. There and later, before you went to the hospital in July.

A. A lot of times, just a squad would go out, or a platoon, and look around the fire base and come back the next day. At night they would send out ambushes--they call them ambushes. Sometimes the company would go.

Q. There wasn't any basic difference though?

A. No.

Q. From what I understand, before this operation and after this operation, it was about the same. Were you ever given any instructions to change procedures, like any additional restraints or controls, or were there any instructions given about burning or anything like this that changed the operation from what it was before this?

A. Well, we weren't supposed to go in and burn everything like we did that one village. There wasn't any more search and destroy after that.

Q. Was this the only search and destroy mission, do you recall? Were there any others?

A. That's the only one I really recall, because that's when everything happened, you know.

Q. Well, it seems to me the term search and destroy is recognized much more clearly in B Company than it is in C Company. It must have been a fairly common term around. Search and clear and search and destroy.

A. Well, a search and clear is used when you search and clear it. When they said search and destroy, we went in and searched and destroyed it.

Q. Do you have any idea, or do you know, or have you heard of any inquiry or investigations being made on any part of this operation prior to your departure from Vietnam?

A. I heard something one time about that they were investigating. I don't know if they were talking about My Lai (4) or what it was. It seemed like it was, that there was going to be an investigation on what we did down there and stuff. But no more was ever said, nobody ever said anything to me until all of this started.

Q. Where did you hear this?

A. Just from other guys.

Q. Back at the fire base or after you were out of Colonel BARKER's control and in Colonel ADKIN's or when was it?

A. I can't say for sure whether it was out of his control or not.

Q. Do you know who told you this?

A. No. It was just hearsay.

Q. What was the nature of what you heard? That there was going to be an investigation or there had been?

A. That there was going to be one on that mission we had.

Q. Did you ever know anyone or hear of anyone who was questioned concerning this investigation--I mean this operation?

A. No.

Q. Did you ever use a camera on operations?

A. Yes.

Q. Did you take any photographs on this operation?

A. Yes.

Q. Do you have any reason for not wanting us to use those photographs?

A. I don't even have them developed.

Q. We'll take care of that.

A. I don't know where they're at now. In the mixup when I went to the hospital, a lot of my film got lost and all of it got wet. I've got, I think, a couple of rolls. I don't know what's on them. They might be just us guys. I don't know if I can even

find them anymore, because everything was so jumbled up.

Q. The type of photography we would be interested in is photographs that might have been taken on this operation in this area. Anything from terrain shots, to the South China Sea, to any of those villages, to that finger of land out there, or anything of this type, or the laager areas.

A. I had my--the one that I took--I don't know whether I took any down there. Mostly other villages, the houses and stuff like this. Guys sitting around and stuff like that.

Q. Well, this would be of interest to us.

A. I don't know if I got any of that or not. I don't think I do. I think my camera might have been ruined by the sand, because the sand ruined everything. It would get in and tear everything up. I don't even think I had it then. I can't say for sure if I have any or not.

MR WALSH: Do you have some undeveloped rolls?

A. I got them, I think, but I don't know where they're at. I have to dig them up or something if I can even find them. I don't know even if they're any good because it was wet and stuff.

Q. If we pay to have them developed, would you send them to us?

A. I'll give them to you if I can find them. I don't know if I can find them.

Q. Well, you never can tell, and it might be helpful.

COL WILSON: Suppose we give you a ring in a couple of days. When are you going back, tomorrow?

A. I'm hoping to go back tonight.

Q. Well, tomorrow's Saturday. How about if we call you Monday or Tuesday and see if you have located them? If you have, we could send somebody up there to get them from you or make some arrangements for you to mail them.

A. I could go home and you could call and my stepfather could tell you if I could find them or what. I couldn't be there because I switch back and forth from time to time because I work in Wabash.

Q. Well, would you leave your message with your stepfather then?

A. Yes, if you call, I'll see if I can find them. I'll look for them.

Q. We will call Monday then.

A. You better make it after 5 o'clock because he won't be there.

MR WALSH: If you're in doubt as to whether a particular roll may have been taken at this time, send them anyway. We'll pay to have them developed and send you back the negatives.

COL WILSON: We would want to know where they were taken. I think, if he's got them, it might be a good idea to have somebody go up there and get them developed and ask questions or get them and bring them back and ask questions. We wouldn't know where they were unless you told us.

MR WALSH: He wouldn't know where they were until he saw them. It probably would be a good idea to get them developed and talk to him. Maybe you could point out if they were taken on a different operation.

A. The thing is, I don't know whether I can find them or not. I was in Japan. The folders and I think--I know I had some in my rucksack. I can look.

COL WILSON: We can call your stepfather Monday after 5 o'clock and see if you turned up anything. Does that give you enough time to look or should we make it later in the week?

A. I won't be home anyway.

Q. What about tape recordings or anything like that, that might help fix the time and the date of what occurred, letters or anything like this that might have information in them concerning this operation?

A. I don't have any.

Q. Did you ever hear any rumors before you left Vietnam that elements of Task Force Barker, I'm not just talking about C Company or B Company or A Company, I'm talking about Task Force Barker, that elements of Task Force Barker unnecessarily killed civilian noncombatants?

A. No.

Q. You never did hear anything like that going on? Were you ever very close to C/1/20? Did your people mingle much between B and C company, or did you stay more or less as a group?

A. One time C Company come up on Uptight. They were moving somewhere. I seen one of my old buddies. That's the only time.

Q. Did you have a friend in C Company?

A. Yes.

Q. Who was that?

A. Rick NERIA. I think he was in C Company. He might only have been attached, because this was a long time ago. That is why I can't say for sure. I know he said something that they had some pretty rough missions.

Q. Did he mention this one?

A. No, this was way before that.

Q. Before this operation?

A. Before.

Q. You did hear any rumors to this effect? Scuttlebutt going around on this subject?

A. You know, we talked a little bit. They didn't even stay the night. They was going to get water. We talked for a little while. When we left they was taking over the hill or something. It was something like that you know. I just talked to them a few minutes, but this was before this ever occurred.

Q. Were you ever told by anyone in authority, senior to you, not to discuss this operation while you were in Vietnam? I'm talking about while you were in B Company. Anybody ever tell you not to talk about it?

A. I was never told personally, but I heard something on that comment before, something like that, but I was never told personally not to discuss it.

Q. What did you hear?

A. Be quiet, don't say anything about it. Keep your mouth shut. It might have been Lieutenant WILLINGHAM saying that. I don't know for sure.

Q. Just keep your mouth shut about this operation?

A. Vaguely, it's just hearsay.

Q. Nobody told you directly?

A. Not direct, no.

Q. No squad leader, platoon leader, platoon sergeant, company commander?

(Witness shakes head in negative.)

Was marijuana pretty easy to get over there?

A. Pardon?

Q. Was marijuana pretty easy to get over there?

A. Yes.

Q. Was it used much in B Company?

A. I can't say. I don't pay any attention to what everybody does.

Q. We're primarily interested as to whether or not it was used on operations?

A. I never saw it used.

Q. I kind of got the impression when you were talking about this hill, you said you wanted--I think it was Lieutenant WILLINGHAM told you to sit down and be quiet or words to that effect--

A. (Interposing) Well, you know he--

Q. (Interposing) You wanted to go up on the hill and help out. I kind of got the impression that the help you wanted to administer wasn't exactly medicinal.

A. Well...

Q. Let me ask you this. Did you feel that whatever was going on on top of that hill was an enemy activity?

A. I'll put it this way. I first got to Vietnam, I didn't want to hurt nobody and I didn't want to see nobody to get hurt. I wanted to go there and spend my time and come back, but I seen time and time again where the people over there was hurting us. The kids--just like when I said on the salt. The kids was helping us move that salt and we was giving them cigarettes and stuff like that to help us to move it. Okay, "mama-san" comes down and starts screaming, and all the kids leave and then we get shot. So I didn't have no feelings for them at all--none. I didn't care about them, nothing. They wasn't helping us. They wasn't trying to help us. They was working against us, if anything. That's the way I feel, because like I say, "mama-san"--when she come down and warned the kids, they could have warned us too of what's going on that mission and missions before. They let you walk into anything. Like off of Uptight when we got pinned down there and Speedy and all them guys, I can't remember who the platoon sergeant was, but he got killed, a couple of guys got wounded and GONZALEZ, I think he lost a leg, an eye, or something. But they could have warned us before they went down there, but no one ever tried to help us. I mean the people, they was against us, and especially in My Lai. These people were all against us.

Q. Now, this is what I am trying to understand in my mind. Were you talking about this area, or were you talking about the Batangan Peninsula, or were you talking about

Vietnamese in general, or who are you talking about?

A. I'm talking about in general, all of them, the way I feel, none of them. I don't have any mercy for any of them except now, like the interpreter and stuff. Now, he was helping us, you know. He tried to help, and there's a few Vietnamese that come up, like young guys, and try to help us. We treated them fine, and this was the only incident that this happened.

Q. You mean this type firing?

A. Yeah. Nothing ever happened like that before, but they told what it was gonna be. The order was that it was search and destroy.

Q. Well, I kind of got the impression that this mission meant to go back and get somebody that had been responsible for the deaths by booby traps and mines, from the way that briefing was given. Is that true?

A. I don't know about that, but they must've thought the area was Communist, because jets come in there and they bombed and shot artillery in there, and then they send us in there to finish it up. So they must have thought that or they wouldn't have dropped the leaflets and told them to get out and told us to go in there and search and destroy. That's what the orders were.

Q. Well, did you feel that there was a great deal of vengeance in the minds of--

A. Yes.

Q. Of B Company when they went in there?

A. Yes, a lot of vengeance.

Q. I don't suppose that the situation of TAYLOR and MILUS--

A. It didn't help matters.

Q. Help the situation.

A. That was after it happened.

Q. Yes, that's true.

A. That didn't help matters any. That made things worse, because, I mean, it never happened like that again--I don't know. You are just out there day after day walking and stepping on mines and never see nothing. It kind of gets to you after a while. Maybe we figured maybe this is our chance to get back at Pinkville. Let them know it feels to get hurt a little bit. That was the order.

MR WALSH: I'd just like an opinion about something. In your opinion, that thing that happened the first day, was that just something where the platoon just kind of went out of control, or was that something that they were just following orders from the platoon leader?

A. Well, I don't know if you can say it was out of control or not.

Q. Well, was the platoon leader trying to stop the people from firing at the people on the hill, or was he directing them to do it or what?

A. I didn't see nobody wave to me or anybody else, and I was in the back. The guys out front--the lieutenant, he had to give the word calling for the ammo and the TNT. He had to give the word, so he must not have been rejecting it too much.

Q. You don't have any impression that he was real angry at everybody after that first day, do you?

A. No, I wouldn't say he was angry with them. Maybe he was, but he didn't show he was angry.

Q. As far as the instructions you'd received at the briefing, of search and destroy and everything would be VC in there, did it seem like to you like everybody was doing what they should be doing?

A. Yes, because that's the orders that we got, it was VC.

Q. On the morning of the 19th do you remember seeing or hearing about some detainees being tortured by the ARVN interpreters in the laager area?

A. Yeah.

Q. Did you see it?

A. Yeah.

Q. What were they doing to him?

A. Well, one was taking a knife and hitting his hands and stuff, you know, and he cut him, nothing real deep, and then he put salt in them.

Q. Who was doing the cutting? Was it an ARVN, or was it--

A. (Interposing) The American interpreter was slapping him with a knife when I saw them.

Q. Was he a big captain?

A. I don't know what the rank was.

Q. Was he an officer or an enlisted man?

A. I don't know, because I didn't see any rank.

Q. What kind of a knife did he have? A big one?

A. It was a hunting knife, and then I heard one of the Vietnamese interrogators tied TA-1 to one and give him a few jolts.

Q. Where did he tie it?

A. Around his bag.

Q. A field telephone?

A. Yeah.

Q. And give it a few cranks?

A. Yeah, I guess that's what they called it. I didn't see it, but I heard he shit in his pants.

Q. Did you hear anything about the interpreters kicking or beating up the people they were interrogating?

A. I know they was getting pretty rough with them, because, I mean, I walked over there and I seen it. He was smacking his hands and stuff. That's all I seen on that. Finally--these guys was supposed to lead us at something. I get them mixed up, but I know one of them got away from us. He was out in front of us, and one of them got away. That was this same mission, because we had three or four guys. Two of them looked like they were pretty young, and one of them got away; he run.

Q. Did anyone get shot there?

A. No, he got away. They tried to shoot him, but he got away.

Q. Do you remember when you were moving up on the third day, moving up to the area where you rounded people up? You remember getting an order to stop burning hootches?

A. I don't remember.

Q. Well, when you were up in the area to the north on the 18th, were any hootches burned that day?

A. I don't remember.

COL WILSON: Well, let me ask you this. Have you seen or did you see on this operation--I'm not talking about the activity on the hill--I would like to know, from the time your unit received fire down there, until this activity went on this hill, what was the time period between the time you received fire from an enemy force until this activity where all this firing was going on up there on the hill from our forces? What was the time element in there?

A. Like when we went across the bridge and set up?

Q. Yes.

A. Five or ten minutes.

Q. Was this enemy fire coming from that hill, or was it coming from another area?

A. I never said it was any enemy fire. All I would say, there was a lot of shooting going on up in front of us.

Q. That's right. You never did say that there was enemy fire, that's correct. All right, these gunships that were called in, was this during the same time period?

A. Well, that was the next morning.

Q. All right, this is a different situation. The firing that went on on the hill in this village, do you recall approximately the range, from the troops that were firing to that hill? How far was it?

A. It wasn't very far. I'd say 75 meters or something like that, 100, somewhere in there. It wasn't very far. We was at the bottom, and they was at the top, and it wasn't a very big hill.

Q. Did you ever see or was there ever a situation where people were rounded up and shot?

A. No, I never seen anybody rounded up and shot.

Q. In any of these villages that you went down through, did anybody ever gather up villagers and execute them?

A. No.

Q. Did you see anybody executed during this operation?

A. No.

Q. Did you hear of any rapes during this operation?

A. No.

Q. What about tortures, aside from this one up here in the north?

A. Maybe a guy'd slap a guy, but nothing, no torture. I mean, you know, just have him there; just keep working on him all the time like they was, no. Tempers get very--well, they go off, especially after TAYLOR and then MILUS. I mean, just like LIAS; MILUS meant a lot to him, and when he got it, everybody was pretty well shook up.

Q. You're talking about LIAS's reaction to MILUS's death?

A. Yeah.

Q. And his treatment of the VC suspect?

A. Yes, when he beat him around with the weapon.

MR WALSH: He hurt him pretty bad?

A. He was walking.

Q. Did people have to pull LIAS off of him?

A. Yeah.

COL WILSON: Was this man evacuated, do you know? This man that LIAS beat up?

A. No, he wasn't hurt that bad.

Q. I mean was he evacuated to a PW collecting point?

A. I imagine he was, but LIAS wasn't the only one that smacked him around. Right inside the perimeter there, this colonel or somebody came in and some of the guys was smacking him around right there.

Q. Who was that?

A. I don't know who it was. I can't remember.

Q. Where did he come from?

A. Who?

Q. You mentioned the colonel.

A. He had flew in on a chopper. He come in, you know, some of the guys were working a few of these guys over, you know, smacking them around. Then interrogating officers came in. Maybe he was the interrogating officer, but nothing was said.

Q. This interrogating officer that you are talking about, did he come in on a helicopter and interrogate some prisoners? Did you see him interrogate anybody?

A. Well, I said he was smacking the hand--

Q. (Interposing) Who is this, this same one?

A. Yes, but this guy, he just come in, stood around a while and left.

Q. Who?

A. This guy on this chopper come in, this colonel. I don't know, I'm not even sure of his rank. He just come in and he was gone.

Q. And he observed these activities?

A. He seen them; he had to.

MR WALSH: You don't remember if he was a bird colonel or a lieutenant colonel?

A. I can't--he might have been a captain. I'm not sure, but I think he was colonel though.

Q. Why do you think that?

A. Because you don't see captains flying in just over that, and whenever something happens the colonel flies in on something like that, you know, and see how everything is and stuff, because our company commander was already there.

Q. Then you think he's a colonel because when he flew in Captain MICHLES went up to him and he found out how things were and then he climbed back in the chopper and went off again?

A. Yes.

LTC NOLL: Was this the morning after the mortar attack?

A. Yes.

MR WALSH: And he saw the--

A. (Interposing) He didn't see the interrogators.

Q. He didn't see the interrogators with the knife?

A. No, he seen maybe some of the guys, you know, bopping them on the head. Well, pulling their arms up for a long

time, a long period. You know, just make them hold them up there, just see how long they hold them up there, or put a stone in their hand and see how long they hold them up there, make them hold it up.

Q. This was just some--

A. (Interposing) Harassment.

Q. Harassment.

A. That's what I call it. It wasn't torture; can't say it was really torture. The interrogator did that.

Q. A little company punishment for firing that mortar?

A. We'd like to did more than that.

Q. I believe it.

LTC NOLL: When did you join B Company?

A. In Hawaii, after AIT.

MR WALSH: I'd like to just ask you a couple questions more about this interrogator that was cutting the backs of the hands. Was it the back of the hand that he was cutting?

A. Yeah.

Q. Then he put salt in it?

A. Yes, he took them down to the ocean and put salt on it. It was right here down by the coast.

Q. You don't know what his rank was?

A. No.

Q. He was American though.

A. Yeah.

Q. Did he speak Vietnamese--

A. (Interposing) Yeah.

Q. Or was he using an interpreter?

A. He was speaking to them.

Q. You don't remember if he came in on a chopper?

A. He wasn't out with us that night. There was a lot of choppers coming in because we had dead there and stuff we was taking out. A lot of choppers coming and a lot leaving.

Q. Okay, that's all I have.

COL WILSON: Do you have any further statements, any further testimony that might help us rebuild this operation as to what happened?

A. That's all I know. All I can remember.

MR WALSH: I wonder if you have discussed the operation here with anyone else from the company after you came back from Vietnam. Anybody else who was there that day.

A. The first time was this morning with Rod.

Q. Rod who?

A. He was in the 3d Platoon I think, and then after that he came over to our platoon, after he got busted.

Q. Other than that, you haven't discussed the operation with anybody from the company?

A. We didn't really discuss it. We just talked more about old times. Things that happened and stuff like this.

COL WILSON: I request that you not discuss your testimony in this investigation with others, including other witnesses who may appear before the board, except as you may be required to do so before a competent judicial, legislative, or administrative body. I mean by that, there is an Armed Services subcommittee in the House that has a committee which is investigating this. It is possible that they may call people from B Company. I don't know. This request that I have has no effect on that. You can testify before them or before a judicial body, but don't discuss this with other witnesses that we may call, or with the press or the public, because it is a confidential matter. Do you have any questions on anything that we have gone over?

A. Something I wanted to ask. Like when you go into the service, you're taught to be quiet about what you do, right? That's what I was taught. Things that you do or supposed to do--quiet. Why did this all come about? A lot of these guys can get away--somebody started all of this. They weren't supposed to open their mouth to begin with, right?

Q. No, that's not true. If something is wrong, if something is done wrong, there are procedures in the military

to correct this. There are also procedures for complaints, and anytime you see something wrong, whether you're in the military or not, even in civilian life, if it's wrong, it's wrong, and there are always ways of reporting it.

A. Maybe you're taking it wrong.

Q. Maybe I didn't understand what you meant.

A. No, some things you should report if something is wrong, but I mean like this mission. Wasn't this a mission that was something that was supposed to be done, I mean, what we was ordered to do?

Q. That's what we have got to find out. I'm sure that there were some things that you were ordered to do on this mission that you did and you did right. There are other things that were done on this mission that I'm sure nobody ever put any orders on. That's the fine line of difference we're trying to determine. That's really the purpose of the investigation, to find out whether anything like this was really investigated. I don't know if that answers it or not.

A. Yes, it did.

COL WILSON: Well, thank you very much for coming.

The hearing will recess.

(The hearing recessed at 1625 hours, 23 January 1970.)

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SUMMARY OF TESTIMONY

WITNESS: HOOTON, Donald R.

DATE OF TESTIMONY: 17 February 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: Murder of Vietnamese civilians.

COUNSEL: Richard W. TOMEO, CPT, JAGC, Litigation Division, JAGO

DUTY ASSIGNMENT ON 16 MARCH 1968: Point Team, B/4/3.

1. PRIOR TRAINING IN THE RULES OF LAND WARFARE.

HOOTON received no training in legal versus illegal orders (pg. 6). While the witness had been issued the MACV card "Nine Rules", he had never seen the MACV card "The Enemy in Your Hands" (pgs. 13, 14).

2. PREOPERATIONAL PLANS AND BRIEFINGS.

They were informed that they were to search and clear My Khe and destroy a bunker complex in the area (pg. 7). They were given the village's coordinates (pg. 8). While he could not remember who briefed him, he thought it was the squad leader (pg. 9). Sergeant TITTLE was the leader of the point team (pg. 9). The first platoon was given the mission of destroying the bunker complex (pg. 10). They did not receive any orders to burn or destroy the village or kill the livestock (pgs. 10, 11). The usual procedure was to put the inhabitants in a central location and search the hootches (pg. 11). However, they were not given instructions concerning the disposition of the inhabitants for this operation (pg. 11). They expected a large enemy force in the area, but they did not know its precise location (pgs. 11, 12). HOOTON did not remember being told how long the operation was to last (pg. 12).

3. THE COMBAT ASSAULT.

a. Actions on the 16th.(1) At the village.

The witness did not recall the approach to the LZ, but it took a half hour to get the company organized after it arrived (pg. 15). The platoon moved out and hit Route 521 in the general vicinity of an arch (pg. 17). While they were moving they heard an explosion and later a dud grenade was thrown at the point team (pgs. 17, 19). However, they did not receive any small arms fire prior to the time they crossed the bridge (pgs. 18, 19). Just before reaching the bridge the weapons platoon lobbed a few mortar rounds across it (pg. 19). At this time the platoon was informed that Lieutenant COCHRAN had died (pg. 19). After the mortar had finished firing the mission was changed. They received word from the rear to destroy the village (pg. 20). HOOTON did not recall the whereabouts of Lieutenant WILLINGHAM at this time (pg. 20). MILUS' machinegun was set up to cover the bridge but it was not fired (pgs. 21, 23, 24). The point team moved across the bridge and checked the opposite side for mines (pg. 22). After the rest of the platoon crossed the bridge they began receiving sniper fire from the bunker complex (pgs. 22, 25). They moved along the trail and a fire fight began (pg. 28). They threw TNT into one of the bunkers from which they had been receiving fire and the bunker collapsed (pgs. 28, 29). They continued receiving fire up to the bend in the trail (pg. 29). HOOTON did not know the location of the machinegun at this time (pg. 29). After a while the firing stopped and WILLINGHAM ordered a cease fire (pgs. 30, 31). They had been blowing up bunkers until this time and all the bunkers in the village were destroyed (pgs. 30, 32). Demolitions were just thrown into the bunkers (pg. 35). He knew of no attempt to get people out of the bunkers prior to their being destroyed (pg. 44). The hootches were made of straw and the witness estimated he saw 12 to 18 such hootches (pg. 34). The platoon received sniper fire in the afternoon (pgs. 37, 38). About 30 Vietnamese were gathered together, their ID cards were checked, and, later, they returned to the village (pgs. 38, 39). There were no males in the group and no suspects were found (pgs. 39, 40). They then had lunch (pg. 39). It was

(HOOTON)

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approximately 1300 (pg. 39). Because the platoon received some fire, they were ordered to burn all the hootches in the hamlet (pg. 40). HOOTON thought this order came from Captain MICHLES (pg. 40). The hootches were burned somewhere between 1330 and 1400 (pg. 41). The witness opined that the VC reported dead were killed in the fire fight (pgs. 41-43). He refused to answer further questions about it (pg. 43).

(2) Movement to the laager site.

The platoon then moved north to their laager site (pgs. 40, 41). He knew nothing about the eight VC KIA reported at 1420 (pg. 44). They were not told that night that they were to secure the bridge for passage by the company the next day (pg. 45). The witness refused to say whether or not a Vietnamese woman was used as point or if there were Vietnamese civilians in the laager area that night (pgs. 45, 46). He recalled something about sampans being brought into the beach that afternoon, but did not remember it clearly because he did not participate in the search (pg. 46).

b. Actions on the 17th.

(1) At the bridge.

When the point approached the bridge on the morning of the 17th, they realized that it was probably mined (pg. 47). TAYLOR found the mine and was attempting to get away from it when it exploded (pgs. 48, 49). TAYLOR was medevac'd and they began receiving enemy fire from the same area from which they had received it the day before (pgs. 50, 51). Two gunships were called in, but HOOTON could not remember how many passes they made (pg. 52).

(2) Along the coast.

As the company moved down the coast some dud rounds were destroyed in an old deserted village (pgs. 52, 53). The second platoon engaged two VC and had one KIA on the beach (pg. 53). Villages were burned as they moved down the coast to the southern tip of the peninsula (pg. 54). They continued to burn as they moved back up the peninsula (pg. 55). They did not see many people, but there were a lot of fishing boats at the tip of the peninsula (pg. 55).

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EXHIBITS

EXHIBIT NUMBER	DESCRIPTION	NOTES	PAGES
M-2	MACV Card "Nine Rules"	Wit was issued card.	13, 14
M-3	MACV Card "The Enemy in Your Hands"	Wit had never seen before.	14
P-21	Miscellaneous Scene	Identified SGT GARCIA.	53
P-22	Miscellaneous Scene	Identified an interrogator known as "Bull" whom he thought was with them that day.	54
P-66	Miscellaneous Scene	Wit did not recognize Vietnamese.	54
P-168	Aerial photo of area	Wit oriented on map.	15
P-206	Miscellaneous Scene	Wit did not recognize area.	19
P-207	Miscellaneous Scene	Wit did not recognize area.	19
P-210	Miscellaneous Scene	Wit had seen individual but did not remember where.	53
P-212	Miscellaneous Scene	Looked like area in which they moved.	54
P-215	Miscellaneous Scene	Wit did not recognize anyone in photo.	65
P-217	Miscellaneous Scene	Wit recognized area.	22

(The hearing reconvened at 1321 hours, 17 February 1970.)

COL WILSON: The hearing will come to order.

RCDR: The following persons are present: COL WILSON, LTC NOLL, and MAJ THOMAS.

The first witness is Mr. Donald R. HOOTON.

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

Please state your full name, your occupation, and your residence?

A. Donald Ray HOOTON. I'm a management trainee for Goodyear Tire and Rubber. My address is 1203 Maple Street, Jackson, Michigan.

COL WILSON: Did you get a chance to read the information that was passed out to you.

A. Yes, I did.

Q. This information sheet that we handed out to you is an Exhibit M-81 that describes what this team is. This is an interrogation team or an interview team for General PEERS. We work completely on the operations of B Company or the aircraft which may have supported your company. Although it is included in the overall My Lai (4) investigation, it is a separate part of it. The board has no authority to make findings and recommendations. That is particularly the prerogative of General PEERS. We just interview people for him. General PEERS or other members of the board may come down here to ask you questions. If they do come down I'll identify them so that you'll know they have the authority. This board consists of three people: Mr. WALSH, a civilian counsel, who has been designated to assist General PEERS and who is upstairs with him now, Colonel NOLL, and myself. Major THOMAS is the recorder.

What was your duty assignment in March 1968?

A. I was in a unit called the point team. There was

four of us men that were permanently in the forward element.

Q. Was that a part of any squad or just come under --

A. (Interposing) I believe they called us the third squad. But it was just the four of us, and we worked in a tighter squad.

Q. There seems to be confusion in the mind of some of the people in the platoon as to whether there were three squads or two squads. We have been having a little trouble.

A. I believe there were two regular squads, and a machinegun crew attached to each squad. And, there was the point team. They usually called us the third squad.

Q. You didn't work under any particular squad leader?

A. No.

Q. Suppose you wanted a machinegun. You just got it from the squad that was right behind you?

A. We'd yell, and there was one up there.

Q. We have three identified: yourself, TAYLOR, and TITTLE.

A. The other would be Jay LARCHE. Either that, or Larche was his first name. L-A-R-C-H-E, I believe.

Q. Well, Mr. HOOTON, as a matter of procedure, I'm going to have to give you a warning now because there is some hearsay evidence that we have. This warning is given to you for legal purposes. If you have done anything wrong, I would suggest that you heed it. If not, you can use your own judgment on it.

A. Yes.

Q. Mr. HOOTON, you are advised that you are suspected of having committed a war crime, to wit: murder of Vietnamese civilians. Your constitutional rights are as follows.

You have a right to remain silent. Any statement

you make may be used against you in a criminal trial.

You have the right to consult counsel, and to have counsel with you during the interrogation. Counsel may be civilian counsel provided by you at your own expense, or military counsel of your own selection if reasonably available at no expense to you, or appointed military counsel at no expense to you. By counsel I mean attorney or lawyer.

A. Yes.

Q. You are further advised that in the event you desire counsel with you during this entire interrogation, counsel is here solely as your advisor. He may not answer questions for you, but at any time you desire, you may confer privately with your counsel.

A. Yes.

Q. If you desire not to answer questions now without counsel present, you may stop answering questions at any time.

A. Yes.

Q. Also, you may request counsel at any time during questioning.

Now, just to review this, you can--we will provide you counsel, military counsel. You may, as you desire, either answer questions or not answer questions. At any time, you may stop answering questions.

A. Yes.

Q. Or, we could bring counsel in for you if you desire.

A. I'd like to have a counsel here, just for counsel's sake.

Q. All right, we'll get you one. We will recess.

(The hearing recessed at 1330 hours, 17 February 1970.)

(The hearing reconvened at 1350 hours, 17 February 1970.)

COL WILSON: The hearing will come to order.

RCDR: The following persons are present: COL WILSON, LTC NOLL and MAJ THOMAS.

COL WILSON: Mr. HOOTON, the witness, has asked for counsel. Will counsel state his name and rank?

IC: Richard W. TOMEO, Captain, Judge Advocate General Corps.

Q. Your are an attorney?

IC: Yes, sir.

Q. Where are you assigned?

IC: I'm assigned to the litigation division of the Judge Advocate General's Office.

Q. Captain, I have informed Mr. HOOTON of the following, and I specified that this warning was given on the basis of hearsay evidence. He was advised that he is suspected of having committed a war crime, to wit: murder of Vietnamese civilians. I have informed him of his constitutional right to remain silent, and that any statement he makes may be used in a criminal trial against him. He elected to have counsel. You were called. I intend to recess the hearing at this time to let you talk to the witness. Whenever you are through, you can contact me in the next room. You can use this room for your discussions. Is that satisfactory?

IC: Yes, sir.

Q. Do you want any further information?

IC: If the witness has made any previous statements, I'd like to see them.

Q. Yes, he has made -- do you mean here?

IC: Yes, sir. I mean other statements.

Q. You haven't made any other statements to any other investigators, have you?

A. No, I haven't. Well, there was a phone discussion when I was called on the phone.

Q. When our people were making arrangements for coming down here?

A. Well, they were wondering if I remembered certain dates.

Q. Well, this is not evidence. This is usually trying to locate witnesses by finding out where he was at a certain time.

IC: I was referring to written statements.

Q. The written reports? I did ask him what his assignment was in March of 1968. He responded that he was a member of the point team of the 1st Platoon, B/4/3. At that time, I gave him a warning.

IC: That was it?

Q. That was it.

IC: No times?

COL WILSON: No. No times.

IC: No previous statements made prior to this.

COL WILSON: Negative. I haven't seen any, we don't have any, and he doesn't know of any. I'm sure that Colonel MILLER will be back to talk to you.

The hearing will recess at this time.

(The hearing recessed at 1352 hours, 17 February 1970.)

(The hearing reconvened at 1447 hours, 17 February 1970.)

COL WILSON: The hearing will come to order.

RCDR: The following persons are present: COL WILSON, LTC NOLL, and MAJ THOMAS.

COL WILSON: Captain, I've advised the witness, and I shall advise you now, that your presence here is strictly on an advisory basis.

IC: Yes, sir.

Q. You can consult with the witness at any time.

Mr. HOOTON, do you want to make a statement, or do you want to answer questions?

A. Yes, I'll answer questions.

Q. You will consent to answering questions?

A. Yes, sir.

Q. If you will recall the information sheet that we passed out, we're going to try to follow a chronological sequence in questioning. The first questions we'll ask will be concerned with training. The next questions we'll ask will be concerned with the briefing which was received prior to the operation. Then the questions will concern the various phases of the operation and what occurred.

Do you recall ever in your training getting a class, probably in military justice or possibly Geneva Convention, concerning the subject of the legality or illegality of orders.

A. No.

Q. You don't remember any class on that subject?

A. No.

Q. I want to be sure that I fix the operation that I am talking about. The one that we have in mind is that one which began on the 16th of March and ended on the 19th of March. During this operation Lieutenant COCHRAN was killed, on the 16th of March. MILUS was killed the night of the

18th and the morning of the 19th of March. It's that time period that we're interested in. That's the time frame that the investigation is concerned with. Now, on the 15th of March at fire base Uptight, you should have received some sort of information, or some sort of briefing or some sort of orders concerning the operation which was coming up on the 16th of March. Can you recall receiving any information on that?

A. Yes. We were briefed for an operation that we were to undergo in the morning, a chopper assault. We were supposed to fly out there. We were supposed to search and clear a village, and we were supposed to destroy a bunker complex in that area.

Q. You were supposed to search and clear a village area, and you were supposed to destroy a bunker complex in the area?

A. Yes, sir.

Q. What type of bunker are you referring to. Give me as much information as you had on it prior to the operation?

A. Prior to the operation?

Q. Yes, I'm asking--the question I'm asking is what you were told, and later we'll get into what happened. I'm trying to find out what you knew before you went in there.

A. They just told us that it was a bunker complex, and said it was used by the VC. The bunkers were used by them for protection from artillery and for just staying out of sight from choppers.

Q. Well, where was this bunker complex supposed to be located?

A. The village, I believe, was My Khe. It was right along the South China Sea.

Q. Right on the sea there?

A. Yes.

Q. You got this much detail in the briefing?

A. Well, they gave us the coordinates.

Q. Did you have a map?

A. Yes, I did. Well, I think there were three maps in the four-man point team. All of us had a map, and all of us knew where we were. They would just give us the coordinates, where to go, and we would find the best way of getting there.

Q. So on the 15th of March, when you were briefed, you knew that you were going to have to assault a bunker complex?

A. Right.

(MR WALSH entered the hearing.)

Q. You were given the coordinates to this bunker complex?

A. Yes, sir.

Q. Do you recall the name as being My Khe?

A. I believe it was My Khe.

Q. What else were you told about this bunker complex? Did you get any more information? Was it one or more bunkers?

A. Well, they said it was several bunkers. In fact they told us--this other man, TAYLOR, and I were the demolition men. They told us to carry all the TNT we could, and they said don't worry, because we wouldn't have to walk very far. We wouldn't have to walk very far from the choppers to this area.

Q. From the landing zone to the target. By whom were you briefed?

A. I don't even remember now.

Q. Was it the platoon leader, or was it the company commander?

A. It wasn't the company commander. From what I remember, it was a smaller group. It might have even been a squad. That's how our briefings usually broke down though. The colonel would have a briefing with the CO, and the CO would talk to the platoon leaders, and the platoon leaders would go on down to the squad leaders, as a rule. This is the way most of our briefings were. I don't remember who gave us the briefing this time.

Q. Now, the point team, since it doesn't respond to any squad requirements as you have explained, still works directly for the platoon leader as I understand it. It does listen to the first or second squad leader?

A. No, we had a leader for the point team.

Q. Who?

A. Sergeant TITTLE.

Q. TITTLE?

A. Yes.

Q. Would you normally get your orders from Sergeant TITTLE or your briefing from Sergeant TITTLE?

A. Well, sometimes we'd get it from him, and sometimes the CO might even get us together and talk to us. But I don't remember who exactly briefed us prior to this mission.

Q. Do you remember if a map was used for this briefing, or whether you were just give the coordinates?

A. We were just given the coordinates. I believe I remember the point team sitting around in our bunker on Up-tight, and we lit a candle and looked at the coordinates.

Q. Now, as far as demolitions go, what do you normally carry in the point team?

A. I usually carried about 5 or 6 pounds of TNT. I had time fuze, and then we had, you know, regular blasting caps. Lots of time, like in this particular mission, we took the fuzes out of old grenades. They usually took a bunch of

old grenades and got rid of them. We just took the fuze out of them, because they screw into blocks of TNT. It's a lot quicker and simpler way of destroying something.

Q. You usually carried several pounds?

A. Yes.

Q. How about the other members of the point, did they carry about the same amount?

A. Everybody carried, you know, about 2 to 5 to 6 pounds apiece.

Q. Was it normal, or was it ever practiced that you would distribute this demolitions among the other members of the company to assist you in carrying the demolitions, or did you have a requirement for that much demolitions?

A. Sometimes other platoon members would carry demolitions. They would give it to us as it was needed, and we had a few others that were qualified. Most of the platoon stayed away from it.

Q. As we understand it, it was planned that you were going to work with the--when you were part of the 1st Platoon, and you were going to work with the 1st Platoon, was there anyone else in the 1st Platoon that was given the mission of the destruction of this bunker complex, or was it the whole platoon's mission?

A. That was the whole platoon's mission.

Q. Now, it was the platoon's mission, and the point would be the first ones to make contact?

A. Right.

Q. Is there anything else? Let me ask you a couple of specific questions. Did you receive any instructions, specific instructions, on the burning of villages, destruction of villages and so forth?

A. At this time; before this mission?

Q. Yes, for this mission.

A. Not prior to that mission, no.

Q. When you don't receive any instructions like that, do you use normal procedures?

A. Usually in a clearing mission we just go in and look through the hootches, you know. The people are usually rounded up and put in one big, central area, and we go through the brush looking for weapons, ammunition, and supplies.

Q. You described this as search and clear. We've had several describe this as search and destroy.

A. Well, this will come out later.

Q. All right. That's good. I'm glad you said that. There was no information on the destruction of houses, food stock and destruction of animals?

A. Not at this time. We were to just clear the village, and blow up their tunnel complex and bunker complex.

Q. Were there any instructions concerning the disposition of the inhabitants of this village?

A. Not at that time.

Q. What was the enemy situation depicted? I realize that you described the bunker complex, but I'm wondering if you were given an enemy strength in the area, or anything like that?

A. Well, we knew the area. I mean the area was just crawling with enemy, and we were told that there was a group holed up in the area. We were supposed to be more or less on the alert for this. Of course, that's more or less common knowledge throughout the area.

Q. But you weren't told that there would be a company-sized or platoon-sized element or anything like that?

A. Well, we were told that there was a large unit somewhere in the area. They didn't know precisely where it

was. There is always a large unit in that area. I don't know how many--we ran into several encounters with forces that probably numbered 200 or 300 enemy, all in this area. They just sort of rotate around in here. They would stay there a couple of days, and then move on. They'd split up into anywhere from three main groups on up to 200 or 300 strong. They just live in the area.

Q. What do you recall? Do you recall the concept of operations of other platoons of the company? Do you know what they were going to do?

A. Yes. We were supposed to--in order for us to get over to this bunker complex, we had to cross a bridge. The rest of the platoon--or the rest of the company, pardon me, as I understood it, was just going to clear this one area, you know, on this side of the bridge here. They were going to clear that area and set up security there (indicating the west side of the river).

Q. They were going to stay over on the west side of the bridge, and you were going over to the east?

A. We were going over on the east side, right.

Q. You don't know what their mission was over there on the west? You didn't hear anything specific about what they were supposed to do?

A. No. It was just a clearing operation over there, and more or less just security, too, that would be on the bridge and the area across. It's sort of like an island. There is the South China Sea on one side, and there is a big river on the other side. The river is awfully deep. There are four bridges along this--well, they called it a peninsula, but it's sort of an island. There's four bridges along here, but three of them were blown up or missing sections, you know, weren't usable, functional.

Q. Do you know if at the briefing were you told how long you would be in the field, or how long it would last?

A. I don't believe so. They never give us that kind of answer.

Q. Was there any special equipment other than demolitions which you were told to take that may have given you an indication of how long you might be out there? Could you go out for a short period or an extended period, and if you didn't have what you needed, they'd resupply you.

A. Well, we got clothes. That wasn't any problem. We got a change of clothes once a month, and we carried a toothbrush. That was about it, and whatever we wanted to sleep with. Food; they'd bring in C-rations once a day. Water; sometimes they'd bring in water. It depended, I guess, if they felt we needed water.

Q. Do you recall at the briefing, which of the squads was to follow the point?

A. No, I don't. I think the first squad followed. In fact, I think MILUS was--he was a machinegunner, and I think he was right behind the point team. In fact, I know he was, cause he covered the bridge when we went across. The point team went across first.

Q. Who was the squad leader for the first squad?

A. I believe Sergeant LIAS was then, Sergeant LIAS.

Q. Do you remember Sergeant LINKOUS, Specialist LINKOUS?

A. LINKOUS, yes, I believe he was the squad leader of the second squad.

Q. You think that LIAS was the squad leader who followed the point?

A. Yes, he was squad leader. He followed the point. Yes, sir.

Q. I've got Exhibit M-2 which is entitled "Nine Rules". It's a MACV, wallet-size card. Have you ever seen that card?

(The witness and counsel examined Exhibit M-2.)

A. Yes, I have.

Q. Did you ever get issued one?

A. I think they gave us one, yes.

Q. In Hawaii or in Vietnam?

A. I don't remember.

Q. You were with the unit in Hawaii, weren't you?

A. Yes, I was, for 8 months.

Q. Here is Exhibit M-3 which is entitled "The Enemy in Your Hands". Have you ever seen that card?

(The witness and counsel examined Exhibit M-3.)

A. I don't believe so, no. I don't think I ever got anything like that.

Q. It's got a back page here, which would be the back side of the card.

(The witness and counsel examined the second page of Exhibit M-3.)

A. I didn't see that card there.

Q. Do you recall any more information on the briefing that I haven't questioned you on that might assist in understanding what you were told when you went in there?

A. No. It wasn't really that important of a briefing. It was considered more or less a routine mission.

Q. Right. Were you told that night, or that day, the lift that you would be on the next day?

A. Yes, they usually straightened things like that out. They tell you what chopper and what lift you were going to be on.

Q. Do you recall what lift you were going to be on?

A. I don't recall.

Q. Do you recall whether the 1st Platoon was to secure the landing zone for the rest of the company and move out, whether they were to move out immediately, or what they were to do as soon as they hit the ground?

A. No, I don't recall the landing. The CO was quite a flamboyant character anyway. He always planned who was going to secure it, and he'd always get shook. He was yelling and screaming and people were running around and falling down. Choppers were landing a quarter mile away. People were falling apart, we were pretty much in mayhem for the first one-half hour anyway.

Q. Who are you talking about, the company commander?

A. Yes, Captain MICHLES. He was nicknamed "Mad Dog".

Q. Well, I don't have any more questions on the briefing.

All right. I think the best thing to do is to describe to you what we know from the standpoint of place and location so it will help you recall. We'll give you the task force concept just to put you in the location and everything, and then we'll go to each day. Let me show you here what was the plan of operation and what was done on the first day.

(Colonel WILSON proceeded with map orientation on MAP-4.)

Q. Now, with that, we'll go to an aerial photograph. Mr. WALSH just got back from Vietnam, and we'll let him take the aerial photograph and give you an orientation on that. Maybe we can work from that photograph.

(Mr. WALSH continued with the orientation on P-168.)

COL WILSON: Mr. HOOTON, we do have another photograph here. If you have enough recall, we would really like to reconstruct what happened on the first day, primarily. Now, as we said

before, the company had closed in on the landing zone by 0830. The last lift came in at 0827. Sometime after that, you started moving toward the bridge. We use Route 521 which was the main dirt road that moved through there. I assume you moved over that road to get to the bridge.

A. Yes.

Q. Do you recall when you hit the road? I know this is hard to describe, but the only thing that we've got to go by is a large, bamboo gate that was over the road. If you recall, it had some writing on it, the entrance to the My Lai (1). Do you recall seeing that?

A. Yes, sir. In fact, we saw a mine marker, which is a little pile of stones, that was left at the gate. Captain MICHLES was there, and he elected for us not to go through that archway because of this mine marker.

Q. All right. Describe the mine marker and its purpose, because this is a Vietnamese mine marker that you're talking about, isn't it?

A. Right, it's an enemy mine marker.

Q. All right. What does it look like? What does it consist of?

A. It's a whole bunch of pebbles in a little circle, sort of built-up in a little pyramid. It only stood about 3 or 4 inches high. It is geometrically constructed, just like a cone.

Q. Did you see this marker before or after Lieutenant COCHRAN hit that mine?

A. Before.

Q. Okay. So you hit Route 521 in the general vicinity of that arch, is that right?

A. Right.

Q. At the time you hit that point, Captain MICHLES said not to go through it?

A. Right. Well, it was right there by the LZ, by the arch. We landed there by the arch, and we just got off the choppers and we started moving over towards his CP group. I was on the point group, and he told us not to use this major trail on through the arch. He told us to go around the trail and work on up across the rice paddy.

Q. Do you recall if there was a built-up area right by the arch?

A. Yes, there was.

Q. Had you already gotten into the village at that point?

A. Yes, there were some buildings there. They were concrete type, stone.

Q. When you went around that arch, did you get back on 521?

A. Yes, we just made a big half-circle around that arch. 521 went straight through, and there's a junction, a trail junction, right here. We just circled around and hit this other trail and camped at 521.

Q. How far from the time you hit 521, how long did it take you to get to the bridge?

A. Well, it took us quite a while because we ran into a little trouble on the way. Lieutenant COCHRAN got killed, and we came up through this junction. Somebody threw a grenade at the point team, but it didn't go off. It was laying over in some thick brush, we were lying down on the ground.

Q. Where was this junction that you were talking about? Can you pick this out on the photograph?

A. I don't think so. This is too darn small, this photograph (P-168).

MR WALSH: This is 521 that goes right across here, but the

road that you have to get on comes out this way.

A. This trail we were coming down ends right about in here, right around this area.

Is that a regular military map there (MAP-4)?

COL WILSON: Well, this is the map here. I don't know if it will help or not. This is MAP-4.

A. One of these two junctions here. We landed somewhere around here, and we circled around in this archway here.

Q. You got this grenade before you got out of this village, is that right?

A. Right. We were just at the trail junction, and we were standing beside the stone building. Somebody threw the grenade, and Sergeant TITTLE saw it and yelled. We all got down, but the thing didn't go off. I looked for it and the brush was too thick, and we didn't feel like tramping around in there anyway. We went out and searched some of the buildings, looking for spider holes to see if we could find who threw it. We couldn't find anyone.

MR WALSH: You didn't see it until TITTLE yelled?

A. Yes. He yelled and we could hear it hit, and it rolled off into the brush. I didn't physically see it, but TITTLE saw it, and he yelled.

COL WILSON: Did you receive any fire at that time?

A. Not at that time, no.

Q. Then after, you did conduct a short search?

A. Just a very brief one. TAYLOR and I went around to check a few of the hootches around there. We saw a couple of little bunkers, and we climbed down in them. No one was in them, so we went back to join our unit. This was on down the trail, I guess.

Q. How far did you go down the trail before you received fire?

A. Not on this side of the bridge.

Q. P-207 and P-206, these are allegedly photographs of the landing zone which was used that day. I don't know if you recognize this photography well enough to place your location or not.

A. Not from this picture.

Q. All right. Would you describe your movement from the time that you received this grenade until you reached the bridge, and what happened when you reached the bridge?

A. Well, just prior to getting to the bridge, the weapons platoon was there. They set up a mortar tube, and lobbed a few mortar rounds over across the bridge into that area. See, this was the only bridge into this peninsula of land, this island of land. The point team had to go across it, and we didn't really want to, you know, because that's a pretty piss poor place to send anybody anyway. So they lobbed a couple mortar rounds across there, and at that time we were informed that Lieutenant COCHRAN was killed. They were working on him, but he died.

Q. Did you hear the explosion?

A. Yes. It was very close.

Q. Do you remember your location when that happened?

A. We were just breaking up on the trail.

Q. You were just breaking up on the trail?

A. Yes. The point element was just coming onto the trail. We just hit the trail.

Q. Well, you hit the trail about 0845 then? That's when he tripped that booby trap. Did you know then that he had been hit, or did you know this later?

A. We didn't know who had been hit at the time. We didn't find out until we stopped and were going across the bridge. At that time, we were told that it was Lieutenant COCHRAN that was dead.

Q. How effective was their mortar fire?

A. Pretty good.

Q. Did you see the rounds?

A. Yes, I could look on through the brush to the river, and it was hitting right around the bridge. It was hitting anywhere from 50 to 150 meters from the bridge. That was toward the ocean.

Q. Do you know how many rounds it was?

A. No, I don't.

Q. All right. What happened after the mortar fire?

A. Then the mission was changed, and we were told to destroy the village in its entirety.

Q. How did you receive this word?

A. It was just passed up from the rear.

Q. By radio?

A. No. See, we didn't have--the point men didn't have a radio.

Q. You got the word to destroy the village?

A. Yes. Now, we were still on this side. We didn't cross the bridge yet. We were approaching the bridge. In the same lull when the mortars were firing, we received word that Lieutenant COCHRAN was dead, and we received word that the village was to be destroyed in its entirety.

Q. Where was Lieutenant WILLINGHAM at this time?

A. I don't know. He was somewhere back there behind us. We didn't pay any attention to where anybody was behind us.

Q. He wasn't up there with you?

A. No.

Q. Where was he usually located, the platoon leader, between the two squads?

A. Usually, yes.

Q. This order was just passed up?

A. Yes.

Q. What was the interval between the point squad and the point team?

A. We were all spaced out about 5 to 8 meters apart. There wasn't any clear separation between the point team and the point squad.

Q. There wasn't?

A. No. We were just the first four in line.

Q. You were followed by the machinegunner?

A. The machinegun crew, I don't know if he was exactly behind the point team or not, because I was rotating between number one and number two man. But, he was real close to us.

Q. Well, now, I've heard that there was a radio assigned to the point team this day, primarily because of the mission. You don't recall this?

A. We had little squad radios, these little walkie-talkies. We didn't have any PRC-25. We never carried one.

Q. Well, I mean, it wasn't a member of your point team that carried it. It was an individual that was placed up there with you. You don't remember it?

A. We didn't have one. Being in the point team, we didn't want a radio around us. It was bad enough walking around without some guy with a radio behind us.

Q. So, you were told to destroy the village. What action was taken at that time?

A. The machineguns set up on this side of the bridge, because we had to go across the bridge, you see.

Q. Yes.

A. So, the point team went across the bridge--well, Larry and I went across, checked it out, you know, for mines and stuff through the area. We got over, then B.J. came over. Then the platoon started coming over.

Q. B.J. is Beverly?

A. Yes, Beverly. Then we received fire.

Q. After you were completely on the other side?

A. Yes, after we were completely on the other side.

Q. Now, do you recall before you moved across whether the two squads following you moved up into position on each side of the bridge, the north and the south side of the bridge?

A. They couldn't move too far south because the brush was thick, but north they could because the trail ran right along the river. At this point the trail sort of meandered on around and followed the river. I can't remember, I think about 30 or 40 meters.

Q. This is a better photograph, (P-217) and the photography is very recent. It won't show anything there. This is the bridge. Now, just to try to bring yourself into the picture on this photograph, and possibly it might be better to use the map here. See this particular texture on this?

A. Yes, sir. That's right here.

(COL WILSON continued with with the map-photo orientation.)

Q. Now, what we were talking about, this is about 1 inch to about 50 meters.

A. Yes.

Q. We were talking about the platoon hitting the trail and going down. We'll start this right here (indicating the bridge). You don't recall the two squads moving up on either side of the bridge?

A. No, I don't. I know the machinegun crew moved up on this side (indicating south of the bridge).

MR WALSH: Well, this is probably wetter than at the time that you were operating because this photograph was taken in the rainy season, and by March it had dried out a lot.

A. Right, it was still pretty muddy all through this area.

COL WILSON: Now, we're putting the approximate location of the machinegun here. Whose gun was that, do you know?

A. I believe that was MILUS' gun.

Q. Okay. Do you recall how far back from the bridge it was when you got this handgrenade? I believe it was off this photograph.

A. I think it was, too. I think it was right after we hit this trail junction.

Q. Okay, we'll start right down here then. Now, this is MILUS' gun, right, his M-60?

A. Right, his M-60.

Q. They moved into position before you crossed?

A. Right.

Q. Who moved it into position?

A. I don't remember who.

Q. All right. When they were in position, what happened?

A. Well, it was in position. I forget if "Lar" went across first or I did, but one of us went across and the other followed about 30 meters behind. There wasn't any more than two of us on the bridge at a time. When "Lar" and I got over here, we checked this area out. It's real sandy right here on the bridge, and once you get back this way it's real muddy, so we just sort of checked around this real sandy area for mines. We poked through the sand and like that. We moved out up to this area right here, and the rest of the point team got across.

Q. Okay, and then where do you think the mortar concentration landed?

A. Right in through this area (indicating directly east of the bridge).

Q. Right over in here?

A. Right.

Q. You don't remember how many rounds?

A. No, I don't.

Q. I'm going to give you a squad designation, since you're such an odd unit. You moved right across and you searched out this immediate area right here?

A. Right.

Q. Okay. How long did that take?

A. It took us about 5 minutes at least. "Lar" and I spent about 5 minutes there.

Q. This is getting ahead if it now, but I want to be sure I don't forget it. Did you by any chance search that piece of ground where TAYLOR hit the mine the next day?

A. Yes, we did. In fact, where he hit the mine was right in front of the bridge. That mine was planted that night.

Q. When you made your search for that--oh, one other question. Was there preparatory machinegun fire prior to crossing that bridge?

A. No.

Q. The gun was not fired?

A. No, it wasn't.

Q. The point squad crossed, and then you said the other squad crossed after you made your search?

A. Right.

Q. Then what happened?

A. Then we received fire from this area in here (indicating directly across the bridge).

Q. Well, when you are describing this area in here, you are describing a piece of area. What was that? We're looking at it now and there's nothing there, but what was it?

A. It was a bunker complex that we talked about, and there were hootches there.

MR WALSH: Let me ask a question. The other side of this trail right off the bridge went up and maybe curved to the north a little bit. Then before you get to the high ground here, it turned and went south. Do you remember how that went?

A. Maybe there was another branch going north. The way it went was one trail went on up high, and there is another trail right here that stayed close to the water and went down through here (indicating south). There was another village area off in there.

Q. Why don't we draw that in.

COL WILSON: Yes, we can do that with pencil. That shows up pretty well.

Now, will you draw on there where you think that trail went up and came down?

(The witness did as requested.)

A. One went up through here, and the other went around down through here. That trail stayed along the river there all the way, and this trail over here stayed here. They almost ran parallel with each other all the way over down to here. There was another trail right around in here too. It stayed along the water (indicating north). Around this area it was real marshy. And, it stayed away from the waters edge up until--

MR WALSH: (Interposing) Well, it doesn't show on that (MAP-4).

A. Well, they haven't got all the bridges here. There were four bridges, I believe. But, it stayed away from

this marshy area until on about here. Then it gets back along the river again. This other trail comes down here (P-217).

COL WILSON: Now, when you cleared this area, did you move out before the entire 1st Platoon came across, or did you wait for them to cross?

A. Before we....

Q. Before you started moving in, when you left the bridge area.

A. You mean when we received fire?

Q. Yes.

A. No, we started moving in because we had to give them room to move across. This wasn't a very good position for them to be in on the bridge. So we just moved in, discharging our weapons and going to the bunker complex that was on the way.

Q. Let me ask you this. Now, where did you say the fire came from?

A. It just came from this area generally (indicating directly off the bridge and to the right). We couldn't precisely pinpoint it.

Q. Was this a village, or what was it?

A. It was a village type area, yes.

Q. Could you give me a general idea how large this village was from an area standpoint, keeping in mind what we talked about, that 1 inch equals about 50 meters? How long was that bridge, do you remember?

A. It didn't seem very long. I think it seemed longer because I had to walk across it. They always seem a little bit longer that way. I believe it was about close to 20 meters across.

Q. Using a basis of about 1 inch equals about 50 meters, what do you think the size of this complex was that you received the fire from? Did it extend from water to water, or was it inside of this trail complex?

A. It was almost inside the trail complex. These trails here were more or less the outskirts of the village area because this is all high ground here. It's a little ridge. In fact, you can't see the village when you're here. When you're here, you can't see the ocean in most spots. In areas down here you can. But, this is all high ground here. (The witness reflected that the area running parallel to the beach on the ocean was high ground, but further south it was level.) The village was concentrated down in this area. This trail here was real close to the water. I don't believe there were hootches on the other side of the trail, on this water side (the western trail).

Q. Where do you think the village extended down to?

A. This is sort of strange. It sort of tapered off right along this area. There's a couple of hootches here and there in this area. Then they have another real big area down in here (indicating the southern portion of the village and southward). There is an old, deserted area down here. There's just a few hootches spaced out in this here.

MR WALSH: Let me ask a question. We have had testimony from people who remember there being hootches on the side of this hill that went up, just before you came to the beach. That would be on that side of the trail (indicating west of the western trail). Do you remember that?

A. Yes, there were a few. Not too many there I think.

Q. Well, while you moved out after you received the fire, did you move out along this trail or this trail (indicating east and west trails, respectively)?

A. We went along this trail (indicating east trail).

Q. That's what people have indicated, that people were on both sides of the trail. They indicated that there were hootches on both sides of the trail.

COL WILSON: So, you came across and followed this trail here?

A. Yes.

Q. Then it started heading south?

A. Yes.

Q. Now, what occurred at this point? Did anything happen at this area?

A. Yes, sir, a fire fight.

Q. Now, I want you to describe that fire fight. Where was the machinegun? Was the machinegun still back here on this side of the bridge?

A. No, the machinegun--we had the machinegun cross, and I don't know which one it was, but I remember we had a machinegun either behind us or right alongside us. I don't remember exactly which crew it was.

Q. So, that machinegun probably moved over before the first squad did.

A. He might have. It's entirely possible, because I think his only purpose was to get the four of us across.

Q. Where did he go into position?

A. I don't even know, because things are so confusing once the shooting starts. People are running around, yelling and hollering.

Q. Well, you got fire from this area, and you still moved out this trail? Were you moving under fire when you moved across the trail?

A. Yes, we thought we received fire from a bunker right here, so we threw some TNT that had grenade fuses in it. I believe--what are the long ones?

Q. Two pounds. Well, you were using composition C.

A. No. The TNT had the short blocks and the long blocks.

Q. Two pounds.

A. Okay. We used the long blocks with a grenade fuse. There was another one up here, so we just leapfrogged on up here just clearing these bunkers (indicating in an easterly direction) so we could move up here and get everybody else on across.

Q. This was the bunker that you talked about right here?

A. Yes, the bunker right after you cross the bridge.

Q. You think that's where the fire came from?

A. We thought it was at the time. We thought this was where some of the fire was coming from.

Q. Did it work out that way, or do you know?

A. We don't really know, because two pounds blew the roof off the bunker and it collapsed. So, we didn't find out.

Q. After you demolished this bunker, did you still receive fire?

A. Yes, we received fire for some time.

Q. And you continued to move?

A. Up to about this point here (indicating the bend in the trail). I'm not certain.

Q. Where was the fire coming from after the bunker was knocked out?

A. We couldn't really tell. There was so much confusion going on and everything.

Q. The machinegun was firing, but you don't know where the position was?

A. Not exactly, no, sir. He was either behind me or off to the side of me.

Q. Do you know what the other squad was doing after they crossed the bridge?

A. No.

Q. After you moved up toward the edge of the village up here, had the firing stopped?

A. After a period of time, the firing stopped, yes. The firing had ceased. I don't know where we were, but we were around there someplace (indicating the whole village). I believe Lieutenant WILLINGHAM or somebody started yelling, "Hold your fire." We stopped firing. Then things were real quiet. This was a toy of theirs. You know, their weapons have a distinct sound. You know, like the old M-1 carbine. Lots of times if you stop firing and you are real quiet, they're real quiet. Then you fire a couple rounds and they start shooting. It's their little game they played with them in that whole area the entire year. So we stopped and things were really quiet. We just waited, and we didn't receive any fire after that until later on that afternoon which was just a few sniper shots.

LTC NOLL: Did the machinegun cover your throwing the TNT in the bunkers as you recall?

A. No. That was probably the first thing we did when we were fired upon, because it seemed like the noise was coming from this area. This was done to give us enough room to get on up here to get the rest of the platoon across, or as many of them across as possible.

COL WILSON: Do you think the firing stopped somewhere out in this area, somewhere out in here?

A. Right. I'm not positive, but I think it did.

Q. Had you stayed on the road all the time?

A. I don't even remember, because you start running around and you try to find a tree, and then you try to find one bigger.

Q. Before this firing stopped, did you do any searching in there?

A. No.

Q. Did you do any more bunker demolition?

A. You mean during this time?

Q. Yes, before the firing stopped?

A. Well, yes, that's how we managed to move, just by discharging our weapons and the use of explosives.

Q. What was the target of the explosives? Was it more bunkers or what?

A. Yes.

Q. All right. When the firing stopped, what happened at that time? You said that Lieutenant WILLINGHAM said to stop firing?

A. Yes, I believe it was him. He yelled out the order.

Q. You could hear that, but you didn't see him?

A. Well, I didn't see him. One person starts yelling and the other, and that's how we get the word out.

Q. Do you think it was his voice?

A. I think it was him that initiated it.

Q. When the firing stopped, then what did you do?

A. We sort of lay there for a while, and we got a-- then they had us--

IC: (Interposing) Excuse me.

(The witness and his counsel conferred.)

COL WILSON: You could go out in the hall.

IC: Just give me a few minutes here.

COL WILSON: Okay. The hearing will recess.

(The hearing recessed at 1545 hours, 17 February 1970.)

(The hearing reconvened at 1550 hours, 17 February 1970.)

COL WILSON: The hearing will come to order.

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

COL WILSON: As I recall the statement, the question which I asked at the time that we recessed was what happened after the firing stopped, after you ceased fire?

A. Well, I'd prefer not to discuss anything further.

Q. Would you answer any questions regarding further movement from your last location in the village after the firing stopped?

A. I didn't hear what you said.

Q. Will you answer any questions regarding the activities that took place in the village after the firing stopped?

A. I'd prefer not to.

Q. Let me ask a couple of questions, and you can decide whether you want to answer them or not.

Were the bunkers in the village destroyed?

A. Yes, sir, they were.

Q. Were the bunkers in the village fortified?

A. Yes, they were.

Q. I want to separate a fortified bunker from a family bunker. What type of bunkers were in the village?

A. The construction was very large, very large hardwood, and there was some kind of tacking. It was very sturdy, very sturdy.

Q. Were there huts in this village, hootches?

A. Yes, there were hootches in that area.

Q. How were they related to the bunkers? Were they over the bunkers or to the side of the bunkers?

A. They were usually, I guess, to the side, or just interspersed.

Q. In the strong bunkers in the village here, did you use explosives or frag grenades?

A. Explosives.

Q. As I recall, you had somewhere around 20 pounds of explosives?

A. Yes.

Q. Based on the structure of the bunkers you described to me, and the amount of explosives it would take to destroy them, how many bunkers do you think you could destroy or you did destroy with that amount of explosives?

A. Well, I believe it was about 3 pounds to a bunker.

Q. How much was that?

A. 3 pounds per bunker.

COL WILSON: We'll take a short recess.

(The hearing recessed at 1553 hours, 17 February 1970.)

(The hearing reconvened at 1557 hours, 17 February 1970.)

COL WILSON: The hearing will come to order.

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

COL WILSON: Okay. Now, what I was really trying to determine, actually, is to build up the picture of what happened in the village. Now, if you used 2 pounds on one of those bunkers-- you described a log, a hardwood log in the bunker, which is about 10 inches in diameter?

A. Yes.

Q. Now, did you actually cave those bunkers in with that much demolition?

A. Some of them--most of them that I noticed or remembered would just collapse, the top just fell in; some of them the roof just came off.

Q. Were these hootches a temporary type thing, or were they reinforced, rock structures?

- A. No, they were straw.
- Q. What were they made of?
- A. Regular straw or grass hootches, bamboo frames.
- Q. How many hootches do you estimate were in there?
- A. I don't know. I might say probably a dozen, or a dozen and one-half.
- Q. Twelve or eighteen?
- A. Yes.
- Q. How many bunkers do you estimate were in this area here?
- A. I'm not sure, because I didn't see all of them or get through that much of the area. I'd say there was probably 10 or 12.
- Q. I'm going to outline the area you described to me, and watch me and see if this is correct before I mark it. It generally ran down here like this, is that correct?
- A. That was the area.
- Q. Well, I'm just trying to get a general idea.
(COL WILSON continued to outline on P-168.)
Generally like that?
- A. Yes.
- Q. There were about 12 to 14 hootches in that area? I mean 12 to 18?
- A. Yes, maybe up to 20.
- Q. How many bunkers?
- A. Approximately a dozen from what I could see, because I didn't get to move all the way through this village area or all around it. I couldn't give you a reliable estimate.
- Q. You almost had enough demolitions to take care of that many bunkers?

A. Well, if I remember right, some more demolitions was brought in. I don't know exactly who used it or how it was dispersed.

Q. This was going to be a question, but since you brought it up, do you recall a helicopter bringing in some ammo and some demolitions?

A. I don't recall it now.

Q. Do you recall a resupply of demolitions?

A. No.

Q. Do you recall the point group or the point team asking that grenades be passed forward?

A. No, I don't believe we used any grenades to speak of.

Q. Did you have any CS grenades?

A. Not this time.

Q. CN?

A. No.

Q. Did you use the procedure of one man preparing the charge and leaving the charge there for another man to come in and demolish the bunker, or did you go into the bunker and place the charge? What was the method of the destruction of the bunkers?

A. We usually just threw it in. Nobody would go in that I know of.

Q. From the point team's standpoint, was this demolition all by the point team, or were the other squads in it?

A. I believe other squads were in it because they were on back further and spread on through the village. I believe second squad stayed right along this area here, right along the bridge, and more or less secured the area. Anyway, they just barely got across and the fire fight started.

LTC NOLL: Did they follow you across or did they cross behind the first squad?

A. I don't reall know because I was further up, and there was a little bit of action.

COL WILSON: Now, the reason I ask if the other squads were involved, I wonder if somebody said: "All right. The first squad take this section to the right, and the second squad take the left and blow up bunkers." Did the point team move off in a certain direction or was it assigned an area to do this, or did the point team alone destroy the bunkers. It would appear to me that somebody with the platoon working in this area has got to say, "You take this area, and you take this area." Did everybody just move in on their own and start the demolitions on the bunkers?

A. Well, the first squad moved to other parts of the village. I don't remember it right now.

Q. Do you remember TITTLE saying anything like: "We're going to take these bunkers over here," or anybody saying to you: "You take those bunkers over there." Was it just said that it was okay to start the demolition of these bunkers?

A. I don't remember how it was, actually.

(Mr. WALSH reentered the hearing.)

Q. It seems to me that there would have to be some sort of control. Okay, let me ask you this. Before you went up to a bunker and threw the demolition in there, was there somebody covering you? You didn't work as an individual, did you?

A. Certainly not.

Q. Did you work in pairs or in larger groups?

A. I believe in larger groups because of the fact that there was firing in there. We had engaged the enemy, and it was senseless to walk around by yourself.

Q. You had demolitions, and normally there was only one man blowing a bunker at a time, is that correct?

A. No. If I remember right there was quite a few series of different explosions.

Q. What I meant by that is as far as the point team was concerned, consisting of four men, did they ever split to demolish bunkers, or did the point stay together and demolish each bunker that they came to?

A. I believe we stayed together. I just don't remember. About the only thing I remember is having--

Q. (Interposing) Having what?

A. Having dinner. We stopped for chow.

Q. This would have been around noon?

A. Yes. We had chow, and some people came out from somewhere. About 20 or 30 civilians just sort of sat down out there. You know, they were just sort of sitting around, a few women and a few kids. So we sat down and had chow, and they sort of sat there. There was a little bit of confusion about where we were going to go, I remember that. We didn't know if we were going this way or that way (indicating north and south). TAYLOR and I walked around, and we ran into this old trail over here and walked up it a little ways.

Q. Do you mean the trail over by the river?

A. Over by the river, yes. We walked up here.

Q. South?

A. Yes, south. We were standing there and we seen the sniper fire. It was about 8 to 10 feet over our heads and hit some limb in a tree. We just sort of stood there because we didn't know where the rounds were coming from, and we figured it was a sniper.

Q. Where was the fire coming from? Was it coming from the east or the west?

A. Well, it was coming from around here someplace (indicating south of the village). There is another hootch up here in this area.

Q. Is this point right here about where you received the sniper fire?

A. Yes, right about here. There was a couple of boats sitting out there, and we were looking at the fishing boats.

(COL WILSON marked the position on P-168.)

Q. What time was that?

A. I don't know.

Q. Well, would that be around noon, or was it afternoon?

A. It was afternoon, because we--I believe the point team just sat around about the same whole area there, and we were sitting around right here eating our chow, you know. We had a little bit of C4 there, and we cooked some C-rations. There was a well right around there someplace where we got some water. There was some people that came out; I don't know where they came from. Some came from here and some came from here, and they sort of grouped up and sat down right over in here (indicating in the northeast corner of the village). I think somebody came and checked I.D.'s, I'm not sure. One of the squad leaders checked their I.D.'s or something. We just glanced up there, and we ate chow.

Q. That's when you moved south?

A. Yes, that's when TAYLOR and I took a walk, because Lieutenant WILLINGHAM thought we were going to move on down here (indicating south).

Q. How many people were up here?

A. Well, the whole platoon was up there.

Q. You were talking about the natives.

A. There was about probably 30.

Q. 30? How many?

A. About 30.

Q. They returned to the village?

- A. Yes, they sort of came on back to the village.
- Q. From where?
- A. Well, it looked like they came from this section here.
- Q. You were pointing to the river area?
- A. Well, right here. They could have been coming from this area, and some of them could have been coming from the beach area too. They all sort of congregated around here (indicating the northeast corner of the village).
- Q. Where did they congregate?
- A. Right around this area, right around here.
- Q. Up in the north?
- A. Yes, around in the north. I believe there's a well up in here too. They were up there getting some well water and sitting around, and I think somebody had some food and they were eating too. It looked like somebody stopped the war for a minute and there was a chow break.
- Q. You say that's about 1300?
- A. Yes, right around 1300; 1200 to 1300 is about the time.
- Q. What did they do? They ate?
- A. Yes, they sat around and ate and talked.
- Q. That was about right here?
- A. Yes, I think it was right about here. I know they were a good ways back behind us.
- Q. Now, were these people searched?
- A. Yes, we searched them for I.D.'s.
- Q. Did you find any suspects in there?
- A. No.

Q. Well, we're just trying to get an indication. Now, do you recall anything else that happened in that village about which you might want to make a statement?

A. Nothing.

Q. I've got a few questions that I want to ask. Do you know that we had two groups wounded up there in the other part of the company? There was another group wounded besides Lieutenant COCHRAN.

A. Yes, there was several mines that went off in the 2d Platoon.

Q. Do you know whether it was planned that the 2d Platoon was supposed to sweep My Lai (1)?

A. I don't know. I don't know what their real plan was, operational plan.

Q. Now, the sequence of events of that morning was your landing at 8:30, the first booby trap tripped at 8:45, and the next on tripped at 9:30. This is the sequence of events that I'm giving you in accordance with the Task Force Barker log. At 9:55, from the 1st Platoon area, B Company reported to Task Force Barker that 12 VC were killed over there. Now, that was at 9:55. Do you know anything about those 12, what happened approximately within that time frame, or whether they had anything to do with that bunker complex?

A. Well, as a result of that fire fight, they were killed.

Q. Who counted them?

A. I don't know.

Q. Did anybody in the point team count them?

A. I don't remember.

Q. At 1025, and this was 30 minutes later, there were 18 VC KIA reported. That's a total of 30 at about

1030. Do you have any knowledge of those counts? Do you know who reported them, or where they came from?

A. It was all--the only knowledge I have is that it was a result of that fire fight.

Q. Well, I'm trying to find out if anybody saw any bodies. We have 30 reported so far.

IC: Colonel, Mr. HOOTON expressed to me the willingness to discuss in general what occurred in the time from crossing the bridge until the lunch break, but he preferred not to get into the details of the fire fight along the line of the trail in the complex.

COL WILSON: Is that correct. Mr. HOOTON?

A. Yes, it is.

Q. Well, whenever you feel that you want to make this statement, I would prefer that you make it and not your counsel. So, whenever you feel like you don't want to answer any questions, you tell me. Any time you want to discuss any questions with your counsel, we will be glad to walk out and let you discuss it with him.

(The witness indicated by an affirmative nod.)

The question I'm asking would concern points that are on the Task Force Barker log, and I will continue to ask questions. If you don't want to answer questions, say so.

(The witness indicated by an affirmative nod.)

At 1025, there is that report of 18 VC KIA, so we're talking about a total of 30 now. At 1045 there was a report that there were some steel helmets, uniforms, and web equipment found. I think there were eight steel helmets. Do you recall that?

A. I'd rather not discuss that.

Q. At 1420 that afternoon, let's see, I've got you--

I know your timing that you put on here is an estimate. Possibly it would have been better if I would have gone over these times first, but at 1420 that afternoon, there was a report of eight more VC KIA. This would have been after chow if that entry is correct. Do you know anything about that?

A. I have no knowledge of that.

Q. Now, I have another general question that concerns body counts, and how they were made. I am wondering, in the 1st Platoon in B Company, what is the basis for a body count? Specifically, I want to know if the individual has to see a body for it to be an acknowledged kill?

A. I'd prefer not to answer that.

Q. Are body counts estimated in that unit, or were they?

A. In several instances they were, because our unit couldn't get into the actual battle area, and it was estimated by a chopper, by helicopter.

Q. In this particular situation in this village across the bridge, were the bunkers searched once they were demolished, or were they searched before they were demolished?

A. I don't believe they were searched before. Afterwards, they were collapsed.

Q. Was there any attempt to get anyone out of the bunker, who may have been in the bunker prior to the use of demolitions?

A. I couldn't qualify that.

Q. At this time, the 1st Platoon moved north to establish a laager area for the night. Could you tell me if you knew whether the company was coming across the bridge the next day, or not?

A. No. They just told us that we'd be spending the night alone on that side of the bridge.

Q. You didn't know whether the company was going to cross over the bridge the next day?

A. No, we didn't know the next day until the morning.

Q. You didn't know if your platoon was going back across that bridge the next day?

A. No, we didn't know when we would be going back across that bridge. We were hoping we wouldn't have to see that bridge again, seeing it was the only access to that area.

Q. Do you know when the word was received that the 1st Platoon would have to secure that bridge for the B Company crossing?

A. It was in the morning.

Q. It was in the morning?

A. Yes.

Q. You didn't hear it that night?

A. I don't remember hearing it, no. It was in the morning.

Q. Why did the platoon move up there for a laager? Why didn't they laager at the bridge?

A. I don't know? Yes, I did know. It cost a good man his leg. It was a pretty stupid tactical blunder, in my opinion.

Q. Well, it depends upon what was known about the operation, but I can't understand why the bridge wasn't secured.

Now, I understand during the movement up there, that there was a Vietnamese woman used as point. Is that correct?

A. I'd prefer not to answer that question.

Q. Were there any Vietnamese in the laager area that night, Vietnamese civilians?

A. I'd prefer not to answer that question.

Q. The next morning--there is one other series of questions. We have a report that between 1600 and 1700 Navy swift boats brought in several sampans to the coastal area, requiring the occupants to disembark, and they were turned over to the 1st Platoon for search and check of identification. Do you recall this?

A. I don't remember if it was that day or the next.

Q. Well, it was reported as having happened that day. According to the Navy report, it was six sampans.

A. There were some sampans. Some were checked. I can't remember now if--I didn't do any of the searching, but I can't remember if we let them all go, or if a chopper picked them up, or what. It was either one of the two. They either went back out to sea or a chopper picked them up. But I don't remember, because I didn't search them.

Q. Did you see a Vietnamese interpreter come here?

A. Not this day.

Q. You didn't see him while these people were being questioned?

A. Not this day, no.

Q. Did you get a hot meal that night?

A. That night, no.

Q. Were there any strangers in the laager area that night? I mean American or Vietnamese military or other than B Company?

A. I don't remember any interpreters or ARVN's being with us that night.

Q. All right. The next day, you started your movement back to the bridge. Had you received orders that morning to proceed back to that bridge?

A. Yes.

Q. Do you recall how this order came out? Did it come over the radio?

A. Yes, it came over the radio.

Q. Did Lieutenant WILLINGHAM call a meeting that morning to discuss what was going to happen that day, or do you know?

A. I don't remember.

Q. So you all saddled up and started moving south, and you were once more on the point?

A. Yes, sir.

Q. Who was on the point? Was it you, TAYLOR, and TITTLE?

A. I believe TAYLOR was.

Q. Once again, did he have a Vietnamese leading the point?

A. I'd prefer not to answer that question.

Q. On moving south, as they approached the bridge, how did TAYLOR determine or did he determine that there was a mine that had been placed there.

A. We had gone down to the bridge, and he stopped. Larry and I stopped and had a cigarette and talked it over, and figured that since we left that bridge unoccupied all night long, and seeing that it was the only means of access to that area, and seeing that the enemy was still around and they knew damn good and well that we had to cross it, it was probably mined. It's a normal assumption in that area.

Q. So you became very cautious when you came to that bridge?

A. Well, yes. We were told that we had to check that bridge out because the rest of the company was coming across.

Q. How was this done?

A. Just a bayonet probe in the sand. It was a real sandy area, ideal for mines. They could be concealed real easily.

Q. Did you see the mine that TAYLOR stepped on?

A. No. Only the explosion.

Q. How far were you from TAYLOR?

A. Approximately 4 to 5 meters.

Q. Did TAYLOR say anything about seeing the mine before he stepped on it?

A. Yes. He said he noticed it. I guess from the sand, he just couldn't get away from it. It was one of those box type things he was telling me. He just started sliding down into the box. Once that happens, there's a couple little pieces of catgut in there, and you crush your foot on this catgut, and the pressure of your foot on this catgut usually pulls a straight pin out of a firing device. Well, he stepped on two mines before just like that and they didn't go off. We dug them up and examined them to find out how they work. It is a popular mine in that area, especially if it was sandy terrain.

Q. Box mine?

A. Yes. You know, like a 2-gallon can. You cut the top of it off, and lay it down flat. Take the top of it off and run two pieces of catgut through it. Put the top back on it, so when there is pressure on it the top will fall and hit the catgut and pull the pin out of the striker. Usually they find an old smoke grenade and take the striker out of that, and knock the primer out of a rifle round and put a new

primer in the striker, fix a blasting cap to it and use whatever explosive they can find. You use a dud round or a block of TNT or whatever you come up with.

Q. Well, we've had several stories on this incident as to how it happened. Some people say he was probing; some people say he had already found one mine and was attempting to disarm it, and stepped on another one. We've had a lot of stories on it.

A. There was only one mine. He realized it was there, but he couldn't get away from it.

Q. Was he sliding?

A. No, not when he found it. The top collapsed. That's what I guess happened. He was poking around and found it. The top was already collapsing, and the sand was pouring in it forcing the top down to detonate the mine as he was trying to get away from it, trying to backpeddle away.

Q. It wasn't his foot, then, that brushed into the mine?

A. I don't really think it was. If it was, it might have been more serious.

Q. But it did blow his foot off?

A. Yes.

Q. We have also been told that his weapon was all mangled?

A. Yes, the thing was just completely blown away. I think his weapon might have taken most of the blast. They couldn't even find several parts of it.

Q. Where else was he wounded besides his foot?

A. In the knee and on the forehead. I patched up his forehead, and the medic patched up his foot.

Q. There is no question in your mind that this explosive was placed there the night of the 16th?

- A. Right, because we thoroughly checked that bridge that day.
- Q. How far was this mine from the end of the bridge?
- A. Well, about 5 meters from the end of the bridge, right in line with the bridge on the trail.
- Q. On the trail?
- A. Right. That's why we more or less determined it wasn't there the day before, because they just don't plant no mines in the trail unless they know that we're going to go through there before any people will, before any other Vietnamese go through there.
- Q. Prior to the time the mine was hit, had you received any enemy fire before that?
- A. Not that day, no.
- Q. After the mine was hit, was there any enemy fire?
- A. Yes, sir, there was. We had just gotten Larry patched up and got him on the chopper, and I came back up to the original position. 3d Platoon was starting to come across the bridge, and then we started receiving fire.
- Q. The 3d Platoon? Was this the first platoon to come across the bridge?
- A. Yes, I believe it was the 3d Platoon.
- Q. We're just trying to get the order of movement across the bridge that day.
- A. I can't remember who it was. I think it was the 3d Platoon, but I can't remember who it was.
- Q. Well, I think you're right, but we're just trying to affirm it. Then the 3d Platoon began to move across the bridge before you got the fire?
- A. It seemed like almost--no, we started moving across before we got the fire, because a few of the platoon members

were right alongside the bridge.

Q. Where did the fire come from that day?

A. From that old, burned-out village area.

Q. From the same area that you received it the day before?

A. Yes.

Q. Now, was there even any fire received from that ridge that day?

A. I'm not sure.

Q. How much fire was it that day you were there, that morning when you started across?

A. Well, we got about five or six quick rounds, and everybody else shot. You can't tell really how much you were receiving and how much was going out.

Q. What type of weapons were these people armed with in that area? Were they U.S. captured weapons, or were they AK-47's?

A. A lot of them were just a little, old carbines. In the area there were a few machineguns, you know, .30 caliber and .50 caliber, but they weren't deployed against us in this particular operation.

Q. Well, the sequence of events as we have them, as we have them on a time basis, is as follows. 0810 it is recorded that the booby trap was tripped, which wounded TAYLOR.

A. Yes.

Q. At 0845, B Company, 1st Platoon, received fire. That's about 35 minutes there.

A. Yes, we had enough time to get him--

Q. (Interposing) Get him out.

- A. Get him in a chopper. The chopper was already gone.
- Q. All right. Now what about gunships? Did you see any gunship come in?
- A. Yes. When we received sniper fire, our gunships were called in.
- Q. How many?
- A. Two.
- Q. How many runs did they make?
- A. I don't know. I can't remember the number of runs they made.
- Q. What type of ordnance were they using?
- A. Rockets and machineguns.
- Q. Miniguns or doorguns?
- A. Both.
- Q. Did you have any more firing after they strafed?
- A. No.
- Q. Then what happened?
- A. We moved south along that peninsula.
- Q. All right. We have been told that B Company began moving south with the 1st Platoon going along the river, and the 2d Platoon out on the beach, and the 3d Platoon remaining there at the bridge with the mortar. As the company moved south, we have an indication that about 1000 hours over in the 1st Platoon area there was a booby trap or mine destroyed. Do you know anything about that? It would have been about halfway down the peninsula and toward the end.
- A. Let me think. There was an old, deserted village

area. I believe we did find some ordnance in there, some type of explosive. Duds, you know, dud rounds.

Q. The 2d Platoon reported engaging two VC with one KIA down on the beach at 1320. They never found this guy.

A. Oh, yes, I remember that. There was a little bit of firing going on there. I don't know really what happened because they were a distance away.

Q. They went on without ever finding the body. The company continued moving south all the way down to the tip. I wonder if you remember that day any ARVN soldiers coming over with--

A. (Interposing) Yes, we had--I don't know. That was the first day I noticed the ARVN's. Yes. They were with Captain MICHLES' CP group.

Q. Could you tell if there were National Police with them, or whether--

A. (Interposing) I don't know, they were just Vietnamese. They were supposed to be on our side. I don't know what group they were affiliated with. I think they were ARVN.

Q. I show you P-210. I know that's difficult, but have you ever seen that individual in there?

A. Where, here?

Q. Yes.

A. I can't tell from that.

Q. We have had some testimony on that particular photograph that this was the Vietnamese woman that TAYLOR had that was turned over to the ARVN's after they got there, and she cooked for them the rest of the time.

But you didn't answer that question. Have you ever seen either of these two individuals in P-21?

A. That's Sergeant GARCIA. He was killed in June, I believe, around the same area.

- Q. That's a Vietnamese (indicating the man on the right).
- A. Is it really. It looks like GARCIA.
- Q. How about these two in P-22?
- A. I think I recall that he was an interrogator, the "Bull," and I think that was his partner.
- Q. Did you see them that day?
- A. I believe so. They had been with us on several operations, that particular team.
- Q. Do you recognize either of these two Vietnamese on the left in P-66?
- A. No.
- Q. Do you recall moving all the way down to the southern tip of the peninsula?
- A. Yes.
- Q. Do you recognize that photograph, P-212?
- A. No, it looks like the same area.
- Q. It was supposedly taken down near the southern point where the river runs into the sea. Now, in the movement south from the bridge, were the villages burned?
- A. Yes.
- Q. Was this burning done on the east or the west side of the peninsula? In other words, was it the 1st Platoon or the 2d Platoon that was burning?
- A. All hootches were to be destroyed.
- Q. When was this order changed? Did you ever receive an order to stop burning hootches?
- A. No. In fact, we burned--we started right from

where we left off the day before, all the way down.

Q. You went to the sea?

A. Right.

Q. Now, you turned around when you got down there, and went back up?

A. Yes.

Q. Were you burning as you went back up?

A. When we got right on down to the end, right down by the mouth of the river, we got down there and turned around and burned those on the way back. It was sort of narrow there, and it was sort of hot.

Q. Yes.

A. But all of them were burnt to my knowledge.

Q. Did you burn on the way back up there or was that already taken care of?

A. That was taken care of.

Q. Did you encounter many people going south?

A. South? No. In fact, we didn't see anybody. There was a helluva lot of fishing boats out there though.

Q. Do you mean at the southern tip?

A. Yes.

Q. As you were moving south, do you recall anywhere along the river here, and generally in this area here (indicating the western side of the peninsula), some element of B Company engaging a boat or sampan out there?

A. No.

Q. You moved back up about halfway and laagered that night?

A. Yes.

Q. Did the ARVN stay with you that night?

A. I don't know. I was over in the 1st Platoon area, and I don't know who was in the CP group. They were with us the next day, I know that.

LTC NOLL: Let's try to unscramble how you might have gone through this area on the 17th. You have a small trail along this side, and as I understand there is a trail going through the village. I understand the 2d Platoon went down the beach and the 1st Platoon along here (indicating the riverside). Now, I'm just trying to find out the route of march the 2d Platoon followed and what route of march you followed. In other words, I know the 2d Platoon came across this bridge. Did they sweep through the main part of the village, or did they sweep down along this side (indicating the riverside) and then slide over?

A. The 2d Platoon?

Q. Yes.

A. I don't know.

Q. How about the 1st Platoon?

A. The choppers came in for the strafing run. The 1st Platoon was lined up from the bridge and ran down to here (indicating across the north part of the trail), which was a pretty good move, because the chopper made his run down this way (indicating a southerly direction), and we all almost got killed.

Q. Were you on this line, or further up?

A. We were on this line right here (indicating the middle of the line).

Q. How did you get up there.

A. We came on down--no, we came on down--we really came on down right here. The platoon was back up here (indicating north of the north part of the trail surrounding the

village), and TAYLOR was injured right here. The chopper landed right here in that area, and we put him on the chopper and the chopper took off (indicating the northern section of the village). I believe the medic, MILUS, and myself carried Larry to the chopper. Well, I'm not sure. We came back up here by the bridge, and 3d Platoon was coming across. Then we received fire. I believe it was Lieutenant WILLINGHAM ordered us to move on down this trail (east side). While this firing was going on, the remainder of the point team moved on down here, and the 1st Platoon followed. They were lined up this way (indicating east and west). With some error in communications with the choppers, the choppers thought we were lined up this way (north and south), because they flew overhead and the rounds were coming within 5 or 6 feet of me, and I had no place to hide. Same for the people right alongside of me.

Q. We know that already.

A. Yes, it was a real good operation. I'm glad they didn't shoot any rockets. I'm glad they held off on them for a while.

Q. When you came out of that position, what did you do? Did you go on down this way?

A. Yes, I believe we did. We moved on down here somewhere (indicating south).

Q. Well, I'm talking about time frame now. It was about 0810 when TAYLOR got hit.

A. Yes, it was early in the morning. It was after we moved out.

Q. About 0845 you got the sniper fire.

A. Yes.

Q. It was 1320 when the 2d Platoon engaged these two VC. It took you all of that time to get down to this point? I understand you ate lunch right near the first big village. In other words, you sat down and ate lunch before you went in. This is what testimony has indicated, that you sat down and ate lunch before you went in the village. Was there a lot of

milling around there this morning, getting organized and getting out of there?

A. Yes. After the choppers went through, we came on through. There was, because we came on through here just a little bit. We got up here and there were quite a few hootches here, and we were searching those. That's when we found--well, I don't know what ordnance it was, but I think it was three dud rounds or something like that, mortar rounds or something around this area. I know we spent quite a bit of time around this area (indicating south of the village).

COL WILSON: You are pointing to the narrowest part of the peninsula?

A. Yes. There was quite a few hootches in there.

Q. At the narrow part?

A. Yes.

LTC NOLL: The 1st Platoon lined up and fired into the village when you took sniper fire. What about the 3d Platoon, did they fire?

A. Some of them were over here. Like I said, they started moving across the bridge and some of them were over here with us, and they were firing in here. A couple of them were on the bridge. I don't know if anybody on this side fired or not. They probably did.

Q. There was no body count reported for this action?

A. We didn't--I don't remember recovering any.

Q. Okay, that's really not what I was going to ask, because there wasn't any reported that morning. I think you recall that these roads don't join through here. In other words, this road doesn't come out and you don't have a choice of going south or north at this point directly north of the village.

A. Sure, you can wade through the sand.

Q. You can wade through the sand? All right.

COL WILSON: All right, is there anything else that you can recall about the 17th that you could give us?

A. No.

Q. On the 18th and 19th of March, B Company moved back up toward the bridge and picked up the 3d Platoon who had been in an ambush position that night--

A. (Interposing) Yes.

Q. And who had stayed there. The mortar platoon that day had this place in the laager position. At the time they picked up the 3d Platoon, they reported a 3000 pound rice cache up there in the vicinity of the bridge. They found it the night before and were going to evacuate it. The company was going to continue to move on forward through the northern portion of the peninsula. They reported picking up a VC at 1230 out in the area. There was a lot of searching going on. There were a lot of civilians being rounded up and a MEDCAP coming in.

A. Right.

Q. At 1315, they said--Task Force Barker reported to the 11th Brigade that there were approximately 1000 Vietnamese villagers up in this area, and they were going send a MEDCAP in there. The MEDCAP went in that day, and a lot of people were processed through it. I wonder if you were searching that day, or rounding up people, or were you back up by the CP?

A. We were supposed to be searching, but it was awful hot that day, as I remember. Most of us just snuck off and just sat down in a hootch somewhere and drank a little ice water, and took it easy.

Q. You weren't back where the command post was?

A. No.

Q. When did you go back there, do you know?

A. Later on in the afternoon, toward the evening, because they moved a whole bunch of people. I remember toward

the evening they moved a whole bunch of people from the northern end down past us. All these people just started moving out. I don't know where the heck they went. We just watched them as far as we could see. They started moving down that peninsula down toward the bridge.

LTC NOLL: This is Exhibit MAP-4. I was curious if you could indicate on the map the formation as the platoon moved, as they went down here. In other words, where was the 3d Platoon in relation to your platoon?

A. I believe we hung more around this area here by this fishpond. The 3d Platoon went further on because after, when we were in our laager position that night, 3d Platoon was coming on back up from this way.

COL WILSON: In other words, you pointed to an area that the 3d Platoon moved along the coast, east along the coast, is that correct?

A. Yes.

Q. And your platoon stayed in the vicinity of the fishpond?

A. Yes. In fact, I remember seeing the fishpond.

LTC NOLL: What about the 2d Platoon? Did they go up this way?

A. I don't know what the 2d Platoon did that day.

Q. Okay. In moving up to that area, do you know what the formation was up to that narrow strip of land, up to the night laager position?

A. 1st Platoon. That's all I know.

Q. Well, what about the 1st Platoon? We'll take that?

A. Well, that night, the night of the 18th, 1st Platoon moved on up.

Q. Okay. Did you move up along the trail, or did you move up along the beach?

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A. We moved up along the trail. In fact, somebody wanted us to move up the beach, and I mentioned the fact that I didn't think it would be a very nice place to walk, seeing that we had a trail that had been used.

Q. Did 3d Platoon move up the beach?

A. I don't know. I think somebody did, yes. I know I didn't plan on walking up there.

COL WILSON: Well, we have a record of events that might seem to be fairly accurate. I'll go over these. But, before I get to that, did you--when you were back at the CP to set up the laager or that evening, or went back to the laager position, do you know if the Vietnamese National Police were there?

A. Yes.

Q. Military?

A. Yes, it was.

Q. They were in the laager area?

A. Yes, they were in the laager area that night.

Q. Did you notice the "Bull," or any other military intelligence people out there?

A. I can't remember seeing the "Bull" there, but another guy was there I remember.

Q. Do you know who this other one was?

A. Only if I see him. I remember the guy was a captain, and had sort of thinning hair, and he was a stocky guy.

Q. Did you see him before?

A. I'd seen him around on operations before, yes. It was either him or the "Bull" that was taking care of interrogations for us.

Q. Did you see him interrogating anybody?

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perimeter from the rest of the 1st Platoon, which is good, because the 1st Platoon is the one that took the brunt of the mortaring. We were put on down at the south end, and right on the corner by the beach. They more or less wanted the point team to watch the beach and make sure that nobody snuck up the beach or anything.

Q. You were secured from the south?

A. Right, the point team was. The rest of the platoon was up on the north end. That's where they got all the mortar rounds.

Q. So MILUS was not associated with the point at that time?

A. No.

Q. He was back with the platoon?

A. Yes, he was with the platoon.

LTC NOLL: Do you remember if you put out an ambush squad or ambush patrol for the platoon that night?

A. I don't remember.

Q. Well, were you right up against the 2d Platoon's position?

A. Yes.

Q. The log indicates there was an ambush patrol 200 meters north of the position.

A. Well, that's where the mortar rounds came from.

Q. Testimony that we have taken has never verified there was, indeed, anybody outside the perimeter that night.

A. I think they were supposed to be. I don't know who was responsible for it, but they didn't go out 200 meters. I think they went out about 15 or 20. And, as a result, that's where the mortar tube was set, about 300 meters north of our

laager position, 300 to 400 meters, because that's where we found their footprints in the morning.

Q. From time to time, we have had testimony that indicated that Captain MICHLES was concerned about needless or inadvertant killing. Have you ever heard anything to substantiate this fact or not?

IC: Could I have just a second with him, please?

LTC NOLL: Sure.

(The counsel and the witness conferred.)

A. I'd rather not discuss that.

COL WILSON: Did you ever see this individual in P-215?

A. I don't know who it is, but I know he must be a prisoner or a suspect. I imagine it was taken during the same operation, but I don't know who it was.

Q. Yes, it was. But you don't recall who it was?

A. No.

Q. Now, just to recap on the briefing versus the operation. As you described it to me, there was a change in what you were told to do and what you did as far as the operational techniques go, in that you received word to burn the first village, although it was not stated specifically that the whole village was to be burned. This, as I recall, was passed up through the ranks?

A. Yes, sir.

Q. This burning continues on through the second day with full knowledge of the company commander, because he was with you and in the 1st Platoon. This burning stopped apparently sometime on the third day, because there was no indication that there was anything burned from the bridge north, or from the laager area north.

A. That's one thing I couldn't understand. One day we burned everything south and north, and then we go up and

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A. Yes.

Q. Did you ever hear any rumors that civilians had been unnecessarily killed by either B/4/3 or C/1/20 during this operation?

A. I'd prefer not to answer that. That's just such a general statement. I think anybody over there shouldn't have been.

Q. My question was, did you ever hear any rumors that civilians had been unnecessarily killed?

A. I don't care to answer that.

Q. Were you ever told by anyone not to discuss the operation?

A. No.

Q. We had some indications that there were some rapes during this operation. Do you know anything about that?

A. I know nothing about that.

Q. Do you know if marijuana was a problem in B Company?

A. Not to my knowlege.

Q. Do you know if anybody ever used it on the operation?

A. I cannot discuss that.

Q. Do you have any further testimony or any further statements to make at this time?

A. No.

Q. In order to introduce this as an exhibit, I would ask you to sign this as "Prepared from memory at Washington, D.C., the 17th of February 1970," this photograph here, if it represents what you have stated.

IC: With the provision that the times and numbers are

approximated to the best of his recollection.

COL WILSON: All right. With the provisions that times and numbers are approximate to the best of your recollection. What will be placed on here is "Prepared from memory, et cetera".

IC: All right, sir.

COL WILSON: Okay, just step around here and I think you can sign it better. The statement on here is "Prepared from memory at Washington, D.C., 17 February 1970".

(The witness signed the exhibit.)

Q. The exhibit will be introduced and entered into evidence as Exhibit P-230 with the specification that it was an estimate on time and to the best of the witness' knowledge.

Mr. HOOTON, I request that you do not discuss your testimony in this investigation with others, including other witnesses from the investigation, except as you may be required to do so before a competent judicial or legislative body.

A. (Affirmative not given as response.)

Q. This investigation is still confidential, but it is possible that it may be downgraded. At this time we still hold it confidential, and request that you do not discuss it.

A. Okay.

COL WILSON: The hearing will recess.

(The hearing recessed at 1710 hours, 17 February 1970.)

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SUMMARY OF TESTIMONY

WITNESS: JENKINS, Jimmie L.

DATE OF TESTIMONY: 9 February 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: Lieutenant WILLINGHAM's RTO.

1. PRIOR TRAINING IN THE RULES OF LAND WARFARE.

The witness recalled no training regarding legal versus illegal orders (pg. 2). He never saw the MACV card "Nine Rules" (pg. 2). He received the MACV card "The Enemy in Your Hands" after he arrived in Vietnam (pg. 3).

2. PREOPERATIONAL PLANS AND BRIEFINGS.

In the briefing on 15 March, WILLINGHAM told the platoon that they were to inspect huts and set up as a blocking force (pgs. 3, 6). They were then to move on to a second objective and screen the populace for VC (pg. 6). They were told to expect a large number of enemy (pg. 6). They were told not to destroy the villages, burn houses, kill animals, or destroy foodstuffs (pgs. 4, 5, 6).

3. THE ASSAULT ON MY LAI.

a. Approach to the village.

Although he knew of no incoming fire at the LZ, four or five rounds of sniper fire was received as he moved with the point between hedgerows bounding a trail in the southern part of Pinkville (pgs. 7, 8, 9). This fire was received after the detonation of the mine which killed

Lieutenant COCHRAN and occurred when they were approximately 300 to 400 meters from the bridge (pgs. 8, 9). Since they did not know from which direction the sniper fire had come, they did not return fire, but continued to move toward the bridge (pg. 10). The sniper fire did not appear to have come from the village (pg. 10). The point stopped at the bridge until the rest of the platoon came up (pg. 10).

b. Actions in the village.

(1) Shooting of women and children.

Prior to crossing the river orders were received from MICHLES that no women and children were to be shot (pgs. 24, 58, 68). They were only to take males (pg. 24). At first the witness stated there was no killing in the village (pgs. 38, 56, 57). He then stated that as they crossed the bridge a man with a machinegun, a man with an M-16, and Private Larry HOLMES shot a woman and two children (pgs. 58, 60, 61). The witness had told them of MICHLES' orders (pg. 60, 65, 66). He thought there could be no question of identification as he was standing right next to those who fired, and, at the distance of 25 to 30 meters, the fact that the victims were women and children was unmistakable (pg. 61). He believed that the victims had come to that area to use the latrine and to his knowledge they committed no hostile act (pg. 61). WILLINGHAM did not come up to the point to see what the firing was about (pg. 62). No effort was made to get rid of these bodies which were merely left beside the trail (pg. 62). This was all the killing he saw, and he observed no other bodies (pgs. 62, 63, 68). One person whose name he could not remember told him that he had killed an old man in a hootch and a baby (pgs. 63, 69).

(2) Movements in the village.

As the platoon which consisted of two squads, moved across the bridge no fire was received (pgs. 13, 16). The point did some firing which they claimed was in return for a few rounds they had received (pgs. 57, 58). On crossing the bridge they saw villagers approximately 100 to 200 yards to the west of the bridge (pg. 137). He did not know what happened to the people he saw in the village that day (pg. 24). He recalled no mortar fire or a request for mortar fire, and a request for gunship support was denied (pgs. 13, 14). WILLINGHAM was moving between the two squads (pg. 16). After the platoon crossed

the bridge JENKINS moved with WILLINGHAM (pg. 57). He recalled no fire from the village and MICHLES said nothing to WILLINGHAM about using machineguns (pg. 19). There was no firing as they approached the five to ten hootches which comprised the village (pgs. 17, 18, 21, 22, 26). They were supposed to search this village and wait for further orders (pg. 16). He did not see enough bodies or hear enough firing in the village to justify a body count of 38 (pgs. 22, 23, 29). He did not know where WILLINGHAM got the information upon which WILLINGHAM reported the finding of steel helmets, web gear and uniforms (pg. 23). He knew nothing about women being raped in the village, although one woman was used as point (pgs. 29, 44, 68). He did not know how long they stayed in the village (pg. 29).

(3) Use of demolition.

During the day he heard some explosions which he found out later were demolitions being used on tunnels by the first squad (pgs. 58, 59, 69). The squad saw people going into tunnels and, without calling them out, threw demolitions in after them (pg. 59). The tunnels collapsed (pg. 59). The idea behind caving in the tunnels was to prevent the people from escaping through other tunnel exits (pg. 59).

(4) WILLINGHAM's knowledge that the body count consisted of women and children.

When the point men counted the bodies they reported to WILLINGHAM (pgs. 63, 63a). The witness was with WILLINGHAM when the report was made (pg. 63a). The point men told WILLINGHAM that the largest number of the 39 dead were women and children (pgs. 63, 63a). JENKINS did not know which of the point men said this to WILLINGHAM, but all three of them were there at the time (pg. 63a). Two of these point men were TAYLOR and TITTLE (pg. 63a). He did not know when the KIA report was made, but the witness felt bad that the dead women and children were reported as VC (pgs. 66, 69).

c. Actions after leaving the village.

After leaving the village a Navy boat brought about 10 sampans to shore and their occupants were interrogated by three National Policemen

and an American E-6 (pg. 30). JENKINS did not recall the features of the American or whether he carried a bowie knife (pg. 30). After a half hour to an hour the group that had been assembled from the sampans was released with the exception of eight to ten military-age males who were taken back in the helicopter (pgs. 31, 32). The platoon dug in deeply that night (pg. 33).

d. Actions on the 17th.

(1) Action at the village in the morning.

On the morning of the 17th TAYLOR was wounded by a mine tied to the bridge. The witness heard that the mine was command detonated (pgs. 33, 34). TAYLOR had been probing for it at the time (pg. 34). Immediately after this they received fire from the village and gunships were called in (pgs. 35, 36). The village was strafed by the gunships during the two to three runs they made over it (pgs. 36, 37). The platoon fired into the village (pg. 36). He did not recall seeing anyone in the village at the time (pg. 37).

(2) The woman used as point.

The woman who TAYLOR had used as point remained with the platoon and may have been turned over to ARVN authority later in the day (pg. 41). This woman is pictured in Exhibit P-210 (pg. 42). Other than the rope around her neck, she was not mistreated (pg. 43). WILLINGHAM knew that the woman had a rope around her (pg. 44).

(3) Movements in the afternoon.

On leaving the village they moved along a river (pgs. 37, 38). He recalled seeing no bodies, and he knew of no unnecessary killing that day (pgs. 37, 38). Some villages were burned that day, although he did not know how many (pgs. 37-39). MICHLES told them not to burn villages because they were friendly (pg. 39). JENKINS did not remember if explosives were used in the villages that day, however, a lot of TNT was used during the operation (pgs. 39, 40). Although he recalled being resupplied with TNT that day, he did not remember the arrival of Lieutenant LEWIS, and he did not see Lieutenant MUNDY (pgs. 39, 40). Nothing unusual happened in the laager area that night (pg. 41).

e. Actions on the 18th.

(1) Actions during the day.

During the day Vietnamese were moved to one end of a village where they were processed by a large MEDCAP team (pgs. 44, 45). ARVNs were interrogating men and women but he saw no MI personnel there (pgs. 44, 45). The witness saw no mistreatment of people, however, some were used to clean the area where the company planned to laager for the night (pgs. 45, 46). After this these persons were released except for the military-age males who remained at the laager site (pg. 46). Some mortar rounds were called in so that the mortars could be set up and so that artillery would be readily available (pg. 46). One woman was wounded in the leg and evacuated (pgs. 46, 47).

(2) The mortar attack.

That night MILUS was killed and four others were wounded by a mortar attack (pgs. 47, 48). The wounded were evacuated immediately (pg. 49). The following day one of the three military-age males who had been kept in the laager area was beaten when he accompanied the platoon to the village (pgs. 50, 51). The other two Vietnamese males were hit a couple of times, but not beaten as badly as the first (pgs. 51, 52). The beating to the first man was administered by SILVA, LONG, and, possibly, Sergeant LIAS and caused him to bleed (pgs. 52, 54, 55). This Vietnamese escaped later on in the morning as he was leading the Americans to bunkers where enemy supplies were stored (pgs. 50, 51).

4. INQUIRIES AFTER ASSAULT.

JENKINS heard nothing about an investigation of the operation, and he was never told to keep quiet about it (pgs. 63a, 64). He heard no rumors about civilians being killed unnecessarily (pg. 64).

5. OTHER INFORMATION.

a. JENKINS' wound.

On April 29th the witness was hit between the eyes by a piece of shrapnel from a mine and hospitalized (pgs. 26,

27, 28). He returned to the company in his old capacity as RTO three weeks later (pg. 29). He received a disability compensation award from the Veterans Administration, but he did not know if this was due to loss of memory or why he received it (pgs. 27, 28). In reference to the operation, the witness stated "As soon as I got hit I can't remember nothing that far back" (pg. 26).

b. Use of marijuana.

Although marijuana was used in the company, he did not know whether it was used on the 16th (pg. 64).

c. Talk about killings.

After the men did some killing they would usually stay up at night and talk about it (pg. 63).

d. Miscellaneous.

He did not have a camera with him on the day of the operation (pg. 63a).

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(The hearing reconvened at 1300 hours, 9 February 1970.)

COL WILSON: The hearing will come to order.

RCDR: The following persons are present: COL WILSON and MAJ THOMAS.

The next witness is Mr. Jimmy L. JENKINS.

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

Mr. JENKINS, please state your name, occupation, and residence.

A. My name is Jimmy L. JENKINS, occupation is machinist, Automatic Electronics.

Q. And your residence?

A. Orange Crossroads, Huntsville, Alabama.

COL WILSON: Where are you employed, Mr. JENKINS?

A. Automatic Electronics, in Huntsville.

Q. What was your job in B/4/3 on 16 March 1968?

A. I was an RTO.

Q. For whom?

A. Lieutenant WILLINGHAM.

Q. Did he have another RTO?

A. Yes, sir.

Q. Who was the other one?

A. A Mario FERNANDEZ.

Q. Now, who were you with on the day of the 16th of March? Were you with Lieutenant WILLINGHAM or were you with the platoon sergeant?

A. I was with Lieutenant WILLINGHAM. I don't know

where the platoon sergeant was at that time so I went to stay with the lieutenant for a little while.

Q. Were both of you with him? Were you and FERNANDEZ both with him?

A. Yes, sir.

Q. All day?

A. Yes, sir, we was.

Q. All right. Let me ask you a couple of questions on training. Do you recall ever having any training which dealt with the legality versus the illegality of orders, legal versus illegal orders?

A. No, sir.

Q. I have here Exhibit M-2 which is a facsimile copy of a MACV pocket card entitled, "Nine Rules." Have you ever seen that card?

(Hands exhibit to witness.)

(Witness examines exhibit.)

A. No, sir.

Q. And here's Exhibit M-3, "The Enemy in Your Hands." Have you ever seen that card?

(Hands to witness.)

(Witness examines exhibit.)

A. Yes, sir.

Q. You've seen that one?

A. Yes, sir.

Q. Where did you see it?

A. In Vietnam.

Q. Before you got there or after you got there?

- A. After we got there.
- Q. Did you have--did they give you one of those cards?
- A. No, sir, not that I remember.
- Q. Did you go to Vietnam with the 11th Brigade?
- A. No, sir.
- Q. You were a replacement?
- A. Yes, sir.
- Q. When did you arrive?
- A. I arrived January the 17th, 1968.
- Q. You went through the Combat Center?
- A. Yes, sir.
- Q. Okay. I'd like to go back to the 15th of March, fire base Uptight. The next day there is going to be a 3 or 4-day operation. That operation is defined by the death of Lieutenant COCHRAN the first day and the death of MILUS the last day. That's the period of the operation. Lieutenant COCHRAN was killed by a mine the first day and MILUS was killed by a mortar attack the last day. Do you have that period in your mind now?
- A. Yes, sir.
- Q. On the 15th of March, at fire base Uptight, who told you and what did they say about the operation that was coming up the next day?
- A. Lieutenant WILLINGHAM told us we were going out on an operation, gave us the grid coordinates and everything. We were supposed to be a blocking force and I forgot who he said we was supposed to be a blocking force for.
- Q. Okay. And you were told this by Lieutenant WILLINGHAM?
- A. Yes, sir, that I remember.

Q. Did Lieutenant WILLINGHAM normally brief the CP group separate from the platoon leaders or were the platoon leaders there?

A. The platoon leaders were briefed prior. Lieutenant WILLINGHAM was my platoon leader.

Q. I don't mean that, I mean the squad leaders.

A. The squad leaders were there too, sir.

Q. The squad leaders were there. In other words, you sat in on the squad leaders briefing?

A. Right, sir.

Q. All right. Did he use a map when he briefed the squad leaders?

A. Yes, he does.

Q. Did he tell them which squad would be loading in which aircraft and so forth?

A. Yes, sir.

Q. He did break out the aircraft?

A. Yes, sir.

Q. Do you know if you went on the first or the second lift?

A. I haven't thought of that, sir. I think on the second.

Q. You think you were on the second lift? Were there any instructions given regarding the destruction of villages, burning of houses, and so forth?

A. Yes, we were told not to do it. We didn't do it as I remember.

Q. You were told not to do it?

A. Yes, sir.

- Q. Do you know which area you were going into?
- A. An area--I knew--the area we were going into, they called it Pinkville.
- Q. You knew that was where you were going?
- A. Yes, sir.
- Q. How about the destruction of foodstuffs?
- A. What?
- Q. Foodstuffs. Rice and so forth.
- A. The people's rice and all was not to be destroyed. We don't usually destroy it. We just normally leave that unless there are hostile forces in there and it's more than what's supposed to be in there.
- Q. What's the matter with your eyes?
- A. I don't know, sir, I'm a little dizzy.
- Q. Does it feel hot to you?
- A. No, sir, I feel fine. I just feel a dizzy feeling, you know, like I'm going to be sick.
- Q. Do you want to take a break?
- A. No, sir.
- Q. Do you want some coffee?
- RCDR: Want a cup of water?
- A. Yes, sir, I would appreciate some water.
- COL WILSON: If you want to stop, you just say so. What about livestock?
- A. What, the animals and all like that? Well, we weren't supposed to kill them either that I remember.
- Q. Let me say what I'm trying to do. I know what your normal operations are. If you are operating in a friendly

area you are not supposed to do this. I'm aware of that, and I think I've got a reasonably good idea of what your SOP is in these other areas. But I'm asking really if there were any special instructions given for this operation? And that's the reason I hit these particular subjects. When I say burning houses, were there any special instructions on that?

A. No.

Q. Or were there any special procedures used in the Pinkville area?

A. Not that I remember, sir.

Q. Do you know what the other platoons of B Company were supposed to do, the 2d and 3d Platoons?

A. No, sir, I don't.

Q. Do you know what the 1st Platoon was going to do?

A. Well, we were supposed to be the blocking force. After we got over there to inspect those huts ourselves, then all of us were to be setting up a blocking force. And a little later that evening we were to move on down to the next objective, round all the people up and put them in one location, and find out if any of the enemy was in there and so forth.

Q. Was there any special instructions to each squad aside from which helicopter they were going to get on?

A. I can't remember any.

Q. Was anything brought out about the enemy forces?

A. Well they said--they told us they were pretty big. That's all I can remember about it. They told us it was a pretty large force.

Q. Okay. Now let's go to the operation itself. I'm going to give you a brief rundown on what happened with respect to the task force end of it, and I'm going to ask you to move through it day by day and see what you can recall.

(COL WILSON briefly described the operation to the witness.)

The last lift touched down at 8:27. You don't recall which lift you were in?

A. No, sir, not this second.

Q. Were you in the same helicopter with Lieutenant WILLINGHAM?

A. No, sir, at this time I was in the helicopter with Sergeant RUSHIN.

Q. You were with RUSHIN?

A. Right, sir.

Q. And you came down; the platoon got off. Do you know what action was taken? Did they move immediately to the trail and start toward the bridge or did they stop on the LZ or what?

A. We were supposed to stop on the LZ. I believe the company was supposed to come into that same LZ, so we were supposed to set up a blocking force until they got there. In case we were fired on, we were to return it.

Q. Was there any fire on the LZ?

A. No, sir. There wasn't.

Q. Did you see anybody come in firing?

A. No, sir.

Q. Did you move out before the rest of the platoons did?

A. Yes, sir. We were supposed to move a little before they was. We were supposed to start out a little ahead of them because we had to go across the river and all, and they would start out a little later.

Q. And where were you when the first mine was detonated?

A. Well I--let's see. I was about the fifth man back from the point man.

Q. You were with WILLINGHAM?

A. No, sir. He was in back of me, about the center of the platoon.

Q. He was about the center of the platoon?

A. Yes, sir.

Q. What were you doing up there in the front?

A. Well, I had to go up there with the point team that day until we got across the river and everything.

Q. So he could communicate with the point team?

A. Yes, sir.

Q. Where was the point team at the time Lieutenant COCHRAN hit that mine?

A. Well, we had just entered some little hootches they had there. Just about the time the mine went off, we received a couple of rounds that was thrown at us. We were lying on the ground when we heard the explosion go off.

Q. What hootches are you talking about, this side of the river or the other side of the river?

A. This side of the river.

Q. What you were actually doing was moving through the southern part of Pinkville?

A. Right, sir.

Q. On a trail with hedgerows on each side and hootches on each side of the road, is that correct?

A. Yes, sir.

Q. Do you remember passing under a big gate in the road with some writing on the top of it?

A. No, sir. I don't.

Q. You don't remember that. But you were moving down a trail?

A. Right, sir.

Q. And you received fire?

A. Right, sir.

Q. Did you receive this fire before or after Lieutenant COCHRAN was wounded?

A. Well, we started receiving it just a few minutes before he stepped on the mine.

Q. How far were you from the bridge when you received fire?

A. I was about 300 or 400 meters, maybe a little further.

Q. Three or four hundred meters from the bridge?

A. Yes, sir. Maybe a little further or a little closer.

Q. Could you see the bridge?

A. I can't remember, sir.

Q. Nobody got hit?

A. No, sir. When we received the fire, no, sir.

Q. How much firing was it?

A. Four or five rounds and that was it.

Q. A sniper?

A. Sniper, yes, sir.

Q. And then what did you do? Pick up and go on, or did you return the fire or what?

A. Sir, we picked up and went on because we didn't know which way the fire was coming from. We were supposed to have men on both sides of us and we couldn't return anything. They told us to move on out.

Q. Did the fire appear to be coming from the village or from the other side of the river?

A. Well it seemed like at the time that it came from the village, sir. We didn't know which way to shoot or anything and we couldn't stop.

Q. Then what happened? What happened when you got down to the bridge, anything?

A. No, sir. It was all right. We did nothing until he told us to go across, and then we went on across, sir.

Q. Did you hear the second mine go off?

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

Q. Back there where Lieutenant COCHRAN was?

A. No, sir. All I remember was one mine going off, and that's all I remember about it.

Q. Okay. So now you got down to the bridge and went right on across?

A. We stopped there until they told us to go across.

Q. Who told you to go across?

A. Captain MICHLES. He said to stop when you get to the bridge and go across when the rest of them got to where they were going to go, so they could see up and down the river a little bit. If they found anything over there, they were to let us know.

Q. What was Captain MICHLES doing talking to Lieutenant WILLINGHAM's point?

A. Well, he was talking to Lieutenant WILLINGHAM, and we could receive him on that radio too.

Q. So he wasn't talking to everyone then, he was talking to Lieutenant WILLINGHAM.

A. Right, sir.

Q. And he told Lieutenant WILLINGHAM to move on across

the--he actually told WILLINGHAM to move on across the river?

A. Yes, sir.

Q. And that was the point element?

A. Right, sir.

Q. And so the point element moved across the bridge?

A. Right, sir.

Q. How long did you hold up at the bridge?

A. I don't remember, sir, how long we held up there.

Q. Was it very long?

A. No, sir. It wasn't too long.

Q. What did you do, just report back to WILLINGHAM that you were at the bridge?

A. Yes, we stopped back and he told us to move across it. We went across and waited on him to come across, checked a little hootch out good that was over there.

Q. Wait a minute. How did you move across? Did you move one man at a time?

A. Well, we took it a little distance apart from one another. The bridge had a little cover on it so if you got shot at you could lie down. There was a little rail there.

Q. A concrete bridge?

A. Right, sir.

Q. And you moved across some distance from one another?

A. Right, sir.

Q. Who moved across first?

A. The point man. I don't know which point man was first that day. We had four point men, and they would usually rotate which one was first.

Q. Let me see who was with you that day. We have TAYLOR, HOOTON, and TITTLE.

A. Yes, sir, and I don't know the other guy's name. I never did learn it.

Q. It wasn't LONG, was it?

A. No, sir. He made the fifth man after a while. They wanted him in too because he had a 79. They had another man besides LONG, and I don't remember who he was.

Q. I carry TAYLOR, HOOTON, TITTLE, and NEEDLE. Was NEEDLE in there?

A. I think so, sir. It sounds familiar, but I don't know for sure.

Q. Sergeant LIAS was the squad leader?

A. That's right. He was the first squad leader.

Q. Wasn't WILLIAMS, MICHENER, JONES, or REID that fourth man? TAYLOR, TITTLE, and HOOTON are exact. But that fourth man is kind of hard to fix. Well, anyway, you crossed one at a time and got on the other side of the bridge?

A. Right, sir.

Q. You don't remember what time this was?

A. No, sir, I don't.

Q. Did you see any mines or booby traps in that area?

A. No, sir, we didn't. They had villagers over in there, and if there were any mines or booby traps around, they wouldn't hang around.

Q. I see. You say that when you crossed the bridge you saw villagers?

A. Yes, sir.

Q. How far were the civilians from the bridge?

- A. About 100 or 200 yards from us off to the west of the bridge, if that far.
- Q. How far?
- A. About 100 to 200 yards as I remember it.
- Q. Do you remember BRETENSTEIN?
- A. Yes, sir, I do.
- Q. Do you remember any mortar rounds going in over there?
- A. No, sir.
- Q. They went in before the platoon crossed?
- A. No, sir, not that I know of.
- Q. Well, it could have been when you got down for that sniper?
- A. I don't know if it was or not, sir.
- Q. We believe BRETENSTEIN was called forward and brought in some mortar fire on the other side of that bridge.
- A. He might have but I don't remember.
- Q. Did you hear any explosions over there?
- A. I can't remember, sir.
- Q. Three or four of the rounds were supposed to be duds. These rounds could have hit farther out towards the beach, too. In some testimony, when you got that sniper fire Lieutenant WILLINGHAM called for gunships. Do you remember anything about that?
- A. No, sir, I don't.
- Q. Captain MICHLES said: "You haven't got that much fire over there, take care of it yourself."
- A. I remember Captain MICHLES saying that but I don't remember Lieutenant WILLINGHAM asking for ships.

Q. What was Captain MICHLES talking about if he wasn't talking about gunships?

A. I don't know, sir.

Q. Do you remember him saying that?

A. Right, sir.

Q. "Take care of it yourself"?

A. Right, sir.

Q. And then supposedly after that BRETENSTEIN came up and directed the mortar fire.

A. I can't remember BRETENSTEIN coming up.

Q. He may not have come to you. He may have come to the platoon leader or to the third squad.

A. If he came up he had to switch radios over to another frequency.

Q. He did talk to the mortar platoon?

A. Yes, sir.

Q. He did talk to the mortar platoon on the company net?

A. You couldn't get the mortar platoon, not unless-- it just wasn't set up so they could unless the company hadn't set out.

Q. Set up on the LZ?

A. I don't know if they called them or not.

Q. What happened when you got on the other side and saw those people over there? You said you saw some people over in the village?

A. Yes, sir. I can't remember what happened that day.

Q. Did you get any more communications from Lieutenant WILLINGHAM?

A. No, sir. He just told us to hold up there until they got ready to cross.

Q. Did the platoon move across after you got there?

A. Yes, sir, they came on across.

Q. How much later did they come across?

A. After we got over there, they was a minute or 2 minutes behind us as I remember.

Q. How many?

A. Two minutes as I remember.

Q. That's pretty close.

A. Yes, sir, I know. As far as I can remember that's how far behind us they were.

Q. Which squad was following you? Was it Sergeant LIAS' squad or the other squad?

A. I don't know for sure, sir, who was following us. I think it was LIAS. I'm not sure.

Q. Only two squads were there?

A. That's all, sir, other than the two 60's. One in each squad. Two 60's that I remember.

Q. Two 60's?

A. Right, sir.

Q. You're talking about mortars?

A. No, sir, machineguns.

Q. Who was the other squad leader, do you know?

A. No, sir, I don't.

Q. Where was Lieutenant WILLINGHAM? Was he behind the first squad or in front of it?

A. He was in between them.

Q. He was in between the two squads.

A. As I remember it.

Q. So the people who came over this bridge right after you got over was the first squad?

A. Right.

Q. They got over on the other side of the bridge. Did the other squad come over right behind them?

A. Yes, sir, they came over right behind them, as soon as they got across.

Q. Any firing?

A. No, sir, we didn't receive no fire.

Q. Then the whole platoon moved across?

A. That I can remember.

Q. And this took about how long?

A. I can't say that, sir. I don't know how long it took.

Q. Okay, what happened when you got on the other side of the bridge? What did your platoon do then?

A. We were supposed to search the village out and everything and wait for further orders. As far as I know, I don't remember finding anything. That's about all I can remember as far as that was.

Q. You don't remember finding anything?

A. No, sir.

- Q. How many hootches were there to search?
- A. As I can remember there wasn't very many, five or ten.
- Q. Is that all?
- A. Yes, sir.
- Q. That wasn't much of a village. Going back to MAP-4, was this right on the other side of that bridge here?
- A. Right.
- Q. About 300 or 400 meters. Did you go straight down the road towards the sea when you got on the other side of the bridge?
- A. No, sir. As soon as we got over here we had to go this way a little bit.
- Q. You turned right?
- A. Right, sir.
- Q. You got over the bridge, went down the trail, and then turned right?
- A. Right, sir.
- Q. How far down to the right did you go before you started hitting that village?
- A. We went about 100 to 200 meters.
- Q. One hundred to two hundred meters down to the right? From the bridge, when you got off the other side of the bridge, did you see the village over there?
- A. Yes, sir. You could see part of it.
- Q. That's when you could see the people over there, is that right?

A. Yes, sir.

Q. In other words, you were just across the bridge when you could see the village?

A. Yes, sir.

Q. There was no requirement for the platoon to remain around that bridge because nobody was following them over?

A. Not that I know of.

Q. The mission as you understood it was to search out that village?

A. Right.

Q. And that village didn't have but how many huts?

A. About five to ten as far as I know.

Q. Was that as far south as you went there? You didn't go any further south?

A. I think that's where we laagered that night. The next day we went further south.

Q. Yes, but I'm talking about the first day?

A. Not as I remember, sir.

Q. Now, did you stay with the point when the platoon came over?

A. No, sir, I stayed back by the lieutenant.

Q. So, once you got across the bridge with the point, how much longer did you stay with the point?

A. I stayed with them until the rest of the platoon got over there.

Q. There was no firing coming out of this village?

A. No, sir, not that I remember.

Q. The only fire that you got was the fire that you got back up where you crossed the bridge.

A. As far as I remember, sir.

Q. Do you remember Captain MICHLES saying, "You're not going to get gunships, use your own." Did he say anything about setting up machineguns? Did Captain MICHLES tell WILLINGHAM to use machineguns?

A. I don't remember, sir, whether he did or not.

Q. Did the platoon fire after they got on the other side of the bridge? Did the platoon fire before it got on the other side of the bridge? I'm primarily talking about the point.

A. I don't know, sir.

Q. Did the platoon fire after it got on the other side of the bridge?

A. I can't recall, sir.

Q. Was there an M-60 with the point?

A. Not that I remember, sir.

Q. Was there any destruction of bunkers going on?

A. Well, there were quite a few bunkers down there. They never did find anything in them when they went down in them that I can recall.

Q. Who went down in them?

A. Some of the point men went in. We had one or two guys that loved to be a tunnel rat, and they'd crawl down in them.

Q. Well, I'm talking about primarily when you and the point first got over there. Did they start searching tunnels

out? Did the point go down in that village?

A. They waited until the rest of the platoon got over there and then went down through it.

Q. In other words, the point stayed in the vicinity of the bridge until the platoon crossed over?

A. Right, sir.

Q. The other two squads?

A. Right.

Q. And then the point went down through the village?

A. Well, all of us went down through the village then.

Q. The point was not separate then? It was part of the platoon?

A. It was part of the platoon at that time, sir.

Q. And you no longer stayed with the point for communications. When the point normally worked as the point, did Lieutenant WILLINGHAM normally put a PRC-25 up there with them?

A. No, sir, he did not.

Q. Why did he this time?

A. Well, this time a squad radio wasn't working properly.

Q. He wanted to be sure that he had communications?

A. Right.

Q. Well, how far ahead of the platoon was the point?

A. I don't know for sure, sir. It wasn't very far

in front of them.

Q. You could almost yell?

A. Yes, sir.

Q. The platoon leader was in the center of the platoon, I recognize that. When you started moving from the bridge and moved down that trail to the right, you still had to have an element out there in the front, and I believe it was the point?

A. Yes, sir.

Q. But, it was closer in than it was on the march over the bridge?

A. Yes, sir.

Q. Now, when the point approached this village, was there any firing going on?

A. Not that I recall, sir.

Q. All right. That morning the booby trap was tripped and killed Lieutenant COCHRAN at 0845. Between 0845 and 0955 somebody from the 1st Platoon reported 12 VC killed. Now, from the time that COCHRAN was killed, and you said that you recall it being back about the time that you received that sniper fire in that village, and 1 hour and 10 minutes later, the 1st Platoon reported killing 12 VC.

A. I can't recall that part, sir. I don't know if they did or not. I was still green over there and I didn't know when they killed and when they didn't. All I know is when they called back in and said how many they had killed.

Q. Your unit had two different combat operations down in that Pinkville area since you were there, once with ARVN APC's and another time with U.S. APC's. I say in that area. I mean around that area.

A. I don't remember that.

Q. Well, since you have 12 VC KIA reported down there, as far as I know, there had to be some firing before 0955 in order to kill 12 VC. You didn't hear this, did you?

A. No, sir, not that I remember.

Q. Did you hear any communications between Lieutenant WILLINGHAM and the company commander?

A. Not that I remember, sir.

Q. You were with Lieutenant WILLINGHAM, right?

A. Right, sir.

Q. FERNANDEZ wasn't there?

A. No, sir.

Q. Okay, at 1025 there were 18 VC reported KIA. So, we have a period of 2 hours there where we have 30 VC KIA. Now, you just don't do this every day.

A. No, sir, you don't.

Q. And all of those reports came from the 1st Platoon, and all of them came down that day. So, what happened? You mean that you don't remember any firing?

A. No, sir, I don't.

Q. Well, what about explosives? Do you remember anything about explosives?

A. All I remember about explosives is that if we found a couple of VC bunkers, we'd throw a couple of hand-grenades in, but that's all the explosions that I remember.

Q. Who was doing this?

A. The point men.

Q. At 1045, that's 20 minutes later, after the last report of 18 killed, it was reported that steel helmets, uniforms, and web equipment were found. That's in the same area. Where was Lieutenant WILLINGHAM getting all this information from?

A. I don't know, sir.

Q. Well, you were on the radio.

A. Yes, sir, I know. But, I don't remember him calling in some findings.

Q. You almost have to know what's going on. All this stuff is being reported back to Captain MICHLES, who is reporting it back to Task Force Barker, who is reporting it back to 11th Brigade, who is reporting it back to the Americal Division. Somebody would have to be somewhere. There would have to be some validity to these reports because they went right back on up to the top. And that's a pretty good record there. 30 VC KIA in an hour for one platoon. That's the only time they made that kind of report the whole time they were there. And you don't remember?

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

Q. At 1240 they reported eight more VC KIA. That made it 38 VC KIA that day, from 0955 in the morning until 1420 that afternoon. Now, did you see any bodies over there?

A. No, sir, I don't remember seeing any.

Q. You were right there. If there has been anybody that has been in here that has been right on that spot with the type of equipment that would know what is going on, it's you. If there is a key man in this particular--as to what happened in that particular location, it's you. You're the radio man, you have the radio equipment, you know the communications that are going on, and you're there. And we've had other people who weren't as well off as you are as far as communications and position go that saw bodies.

A. I must have stayed mostly on the pad that day. I don't remember seeing no bodies or nothing.

Q. Well, who was searching the hootches out?

A. The rest of the squads.

Q. What happened to these people that you saw in the village?

A. I don't know, sir, I can't say about them. I don't know what happened to them. Well, usually when we go over there, when the unit comes in, they usually stayed. But that day they started slipping out on us.

Q. Where did they slip out to?

A. Further down the beach and all that. Some were going into the little bunkers they got. They are camouflaged. You can't find them.

Q. So they were running away.

A. Yes, sir.

Q. Was any attempt made to stop them?

A. We hollered for them to stop and everything. That's about all I can remember. The captain told us not to shoot women and children. That's mostly what you find in the villages. You don't find no military-age males. All you find is these little old men.

Q. The captain said not to shoot them. When did he say that?

A. He told us that before we got across the river, not to shoot women and children. Just take on military-age men which we could see and tell them to stop, try to stop them. Try not to kill them if we could.

Q. Captain MICHLES said this on the radio?

A. Right, sir.

Q. You heard this transmission?

A. Right, sir, before we got across the river.

Q. What prompted this transmission? Why would he say this?

A. Well, every time we would go in a village with a lot of young, military-age males in there, he didn't want us to shoot women and children in there mistaken for one of these military-age males while they are running away. A good way away you can't tell one from the other from the hats they wear.

Q. Well, in other words he said this across the bridge? You heard this on the radio?

A. Right, sir.

Q. Did you pass this on to Sergeant TAYLOR?

A. Yes, sir, that I know of. He was standing right beside me. Every time we would get a message in he would be standing right beside me.

Q. Did you have a loudspeaker on that radio?

A. No, sir.

Q. Could you hear it through the handset?

A. Yes, sir, because he had the handset.

Q. He was carrying it?

A. Right, sir.

Q. Was he talking to Lieutenant WILLINGHAM very much?

A. No, sir. Now and then the lieutenant would call him and talk to him, and that wasn't too often.

Q. Did Lieutenant WILLINGHAM say anything about-- did he hear the transmissions from the company commander?

A. Lieutenant WILLINGHAM?

Q. No, Sergeant TAYLOR.

A. Yes, sir, he did. TAYLOR, or do you mean TITTLE?

Q. Well was TITTLE on the radio?

A. Right, sir. He had charge of the point team and everything.

Q. What was TITTLE's grade?

A. I think he was a spec 4.

Q. When was TAYLOR promoted to sergeant?

A. I don't know, sir.

Q. Okay, TITTLE was handling the radio.

A. Right, sir.

Q. Now, I'm at a loss because people that weren't in your position say there was a hell of a lot of firing going on.

A. I can't remember there being any fire or not, sir. As soon as I got hit, I can't remember nothing that far back.

Q. Where were you hit?

A. Between the eyes.

Q. Were you declared to have a loss of memory after that?

A. No, sir, not that I know of. I just can't

remember that far back too much. The only thing I can remember is our platoon moved and everything. That's the only thing I can remember.

Q. When were you hit?

A. April 29th.

Q. When you were hit on April 29th, were you evacuated back to the States?

A. No, sir.

Q. You went to the hospital?

A. I went to the hospital in Chu Lai.

Q. Well, if it was in Chu Lai, you would have remained there.

A. I remained in Chu Lai and got back to Duc Pho. I stayed back there for about 2 weeks before I went back.

Q. How long would you estimate the total time?

A. From the time I was at Duc Pho? About 3 weeks that I know of.

Q. How long were you in the hospital?

A. About a week.

Q. Were you separated on a pension?

A. A what, sir?

Q. A pension.

A. Like drawing things from the Army? I got a letter from them the other day. I draw \$43.00 a month.

Q. Is that from the Veteran's Administration?

A. Right, sir.

Q. And when were you separated?

A. When was I what?

Q. When were you separated from the service?

A. August 8, 1969.

Q. August the 8th of 1969, and they just came through with that letter. They should make it retroactive, I think, back to August of 1969. Do you know what the basis of this pension was?

A. The what?

Q. The basis. Did the letter indicate a reason? Did it deal with anything wrong with your hearing, your memory, or your eyesight?

A. I don't remember, sir.

Q. You don't know what the final decision was on the awarding of the disability compensation?

A. No, sir.

Q. Now, when were you hit between the eyes, on the 28th of April?

A. The 29th.

Q. Was this shrapnel or gunshot wounds?

A. It was shrapnel from a mine.

Q. It was from a land mine?

A. That's right.

Q. Did you detonate that mine or did somebody else?

A. Somebody else I believe, sir.

Q. After you went back to the company, what job did they put you in?

A. They put me on none until I got ready to go back to the field and I got my old job back as RTO.

Q. 1st Platoon?

A. Right, sir.

Q. You went through this village, all the way through it with that platoon, and you don't remember seeing any bodies?

A. No, sir.

Q. You stayed with Lieutenant WILLINGHAM?

A. Right.

Q. How long did you stay around that village?

A. I don't know, sir.

Q. Do you remember moving out and going up north, setting up the night laager position? It would be back north of the bridge.

A. Yes, sir, I do. I do remember moving out that way.

Q. And setting up the night laager position.

A. Right, sir. TAYLOR he had this --

Q. (Interposing) He had a woman. She was on a rope.

A. Right.

Q. She was being used as point.

A. Right, sir.

Q. Where did you pick her up at? In that same village?

A. Right, sir.

Q. Did you move up the beach or did you move inland?

A. I think we moved on inland because the beach was out to the right.

Q. You got up there. Do you remember that afternoon about 1600-1700 hours a navy boat bringing some sampans in there with Vietnamese in them and turning them over to Lieutenant WILLINGHAM? This would be about 10 sampans and the navy boat, navy swift boat, which directed them to the beach.

A. I think so, sir, and I think the biggest part of them. I think there was a lot of little children in there. I'm not sure.

Q. Do you remember a helicopter coming in with an interpreter, a Vietnamese?

A. I remember one coming in, but I don't know if they had one on it or not.

Q. Do you remember when the helicopter came in? They were supposed to have had three National Policemen, one Vietnamese ARVN interpreter, and there should have been someone from U.S. intelligence?

A. The U.S. was an E-6 wasn't he?

Q. Well, I don't even know if he would have had rank insignia on.

A. I remember the policemen coming in because they wore black uniforms, sort of cotton type. I remember that E-6.

Q. Do you remember what he looked like?

A. No, sir, I don't.

Q. Did he have a big knife, a bowie knife?

A. I don't know if he did or not, sir.

Q. Was he an older looking man, baldheaded?

A. I don't know nothing about him or how he looked, baldheaded or nothing.

Q. What did they do, just interrogate these people and put them back on the boats?

A. They took young, military-age males, if I'm right, took them in with them and questioned them.

Q. Took them back, you mean, that evening in the helicopter?

A. Right, sir. If I remember, they took them back.

Q. What did they do with the rest of them?

A. They let them go.

Q. They got back into their boats and sailed off?

A. Right, sir.

Q. How many young military-age males came out of the boats?

A. I would have to say about 10 if I remember. I'm not quite sure.

Q. About 10?

A. About 10 as far as I can remember.

Q. And they picked them up and took them out of there? They didn't stay with you in your laager area?

A. Not that I can remember.

Q. P-21. Have you ever seen either one of those two men in uniform?

A. He was an officer.

Q. The one on the left?

A. Right, sir, the American. This one here used to travel with him to just about every village he would go to.

- Q. The one on the right?
- A. Yes.
- Q. An intertpreter?
- A. Right, sir.
- Q. Vietnamese?
- A. Right, sir.
- Q. Did you see them on this operation?
- A. I don't remember if they was on this one or not.
- Q. This is P-66. Those two Vietnamese soldiers in the left part of the picture, have you ever seen them?
- A. Yes, that there looks like LITTLE, and I can't see that one's face too well.
- Q. What did you say about the other one?
- A. He looks like Sergeant LITTLE.
- Q. Sergeant LITTLE?
- A. Right.
- Q. That's Vietnamese.
- A. It looks like a little guy we had with us. Sergeant LITTLE.
- Q. You don't recognize those?
- A. No, sir.
- Q. These people that came out just to interrogate those people in the sampans, how long did they stay there?
- A. They were there maybe about one-half hour to an hour if I remember it.

Q. One-half hour to an hour?

A. Right, sir.

Q. And then they left?

A. I know they left.

Q. What happened that night, anything?

A. Well, all I can remember is we were told to dig in some. Our men dug in. That's about all I can remember about that. One of the guys got killed a little later on. He spotted something that night but he didn't think nothing of it because it didn't look like nobody to him. We found out the next morning that it was somebody. That's about all I can remember happening that night.

Q. The next morning you moved out back down toward the bridge?

A. Right, sir, I think we waited on the rest of the company that morning. I'm not for sure.

Q. Did TAYLOR release that woman as point yet?

A. What?

Q. How come TAYLOR hit the mine and the woman didn't?

A. I don't know, sir, TAYLOR was in front of the woman that I know. He knew the mine was up there from what I gather. How he got out not getting no more hurt that he did, I don't know. He mustn't have took the full force of it.

Q. Let's go over this thing. TAYLOR had the woman. I thought that he always had the woman out in front of him?

A. He always did, sir. He figured a mine would be up there. He knew they came up there that night--everybody stopped there before we set up. We were sitting there and he went on up the bridge because he had a hunch the mine was up there, searching. He seen something that looked like one and he started probing, and they say it was command-detonated. I

don't know if it was command-detonated or not. Then after that, as far as I remember, that day we received a little bit of fire.

Q. Let me get back to this mine business. This mine, as far as you know, wasn't there the day before was it?

A. No, sir, all of us came across there.

Q. Somebody walked across the area where that mine was or was this mine off the trail?

A. It was on the trail tied right to the bridge.

Q. More than likely somebody must have walked over that area the day before, right?

A. Right, sir. Well, all of us walked over it.

Q. The mine had to be put in there that night then?

A. Right.

Q. Is this what you think happened?

A. Right, sir.

Q. What everybody thought happened?

A. Yes, sir, that's what a great part of us thought. Everybody walked over that one particular area coming in.

Q. Now, TAYLOR saw this mine, and he saw it too late is what you said?

A. He saw it. He was probing for it and it went off.

Q. All right. Now when he was probing, was he probing with fixed bayonet, with his weapon?

A. Yes, sir. They said he had his rifle in his hand and it blew it all to pieces.

Q. That's what we understand, that it blew up his

weapon. It seems awful funny to me, though, that that weapon had detonated that mine and his foot down there on the ground was injured.

A. I know, sir.

Q. What happened to his head and his body?

A. I don't know, sir. They said he used his weapon to probe for it. As far as I got out of it, he used his weapon.

Q. He had to have his foot right on top of it.

A. I don't know what he had right on top of it.

Q. It was just a freak wound as far as I can see, the way it's been described. Did you see him doing that?

A. No, that's the way it got back to me what he was doing.

Q. I just don't understand it. Well, there were supposed to have been some other mines around there too?

A. Well, there did look like one off to the left, they said, off to the left of the path clear down by the beach. They told us not to go in that area. Wasn't nobody that would go in there. It seemed like one was setting because the chopper was pretty close to it. Everybody had to walk around it if they had to go in that area to help the chopper take TAYLOR out.

Q. Now, when this mine went off, did you receive fire beforehand?

A. I think we received it afterwards.

Q. How much fire?

A. I couldn't say for sure. It only lasted for a minute or so and they called gunships in that day, I know.

Q. Gunships came in? How many runs did the gunships make?

A. They made two or three that I know of because one of the shells flew out of the cockpit and hit me on the arm.

Q. How many gunships were there?

A. As far as I know, there was about three.

Q. Did they use the miniguns or rockets?

A. I don't know what they was using. I don't know what they used, sir.

Q. They strafed the village?

A. Sir?

Q. They strafed the village. They fired into the village?

A. Yes, sir.

Q. That's where the firing was coming from?

A. Right, sir.

Q. The village that you searched the day before?

A. Right, sir.

Q. Now, would you tell me, if this bridge was so important, where he got his orders from, why you left that bridge and went up north and let the VC mine it that night? Why didn't he stay down there at the bridge if that's so damn important? The company had to cross it the next day.

A. I don't know, sir. The next day when the company come across they had a minesweeper. They was supposed to be detecting mines and putting tissue or some kind of white paper around it, and the demo men would blow them when they come through.

Q. Before the gunships got there, was any fire coming from the platoon? Did the platoon fire back into this village?

A. Yes, sir, they did.

- Q. Did you see anybody in that village?
- A. No, sir, I didn't see nobody at that time.
- Q. Did you see anybody in that village that day?
- A. No, sir, not that I remember.
- Q. The gunships worked it over?
- A. Right, sir.
- Q. And the company came across?
- A. Right, sir, they came across that day.
- Q. And moved south?
- A. That's right, sir.
- Q. And you moved inland?
- A. I think we moved inland and then we started moving all kinds--started to run down all through there.
- Q. Did you see any bodies down there that day?
- A. I don't remember if we went all the way down to the end of the beach. And as far as that little part runs, if it had water or not. That's all I can think of, we went all the way down and there were a few people in there and all them boats were in there too.
- Q. You moved that way? You were on the inside?
- A. We walked across there that day. I think we walked down as far as this little island went, searching it out and back up it.
- Q. Well, when you were going down did you see a river or turn back that evening out on the riverside? Not the sea-side, because you were walking down by a river.
- A. The ocean--

Q. (Interposing) You were on the riverside. Do you remember that river being there?

A. We was walking across.

Q. Do you remember a boat out there with a bunch of people in it, taking it under fire any time that day?

A. No, sir.

Q. All right, let me go back to the first day and part of the second day when the firing was going on. It is not the purpose of my investigation to make anybody the scapegoat. It is the purpose of my investigation to find out what happened.

A. Yes, sir.

Q. We've had people come in and say there was a lot of firing, a lot of unnecessary killing.

A. There might have been, sir, I can't remember that part at all.

Q. The thing is, I haven't had anybody come in here and say there wasn't. I've had people say they couldn't remember.

A. I can't remember that far back. I don't know for sure.

Q. Well, can you say that you don't remember? Can you say there wasn't any firing?

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

Q. You just flat can't remember one way or the other?

A. Right, sir, I don't remember if there wasn't or was that day.

Q. Going back down south, how about burning the villages?

A. I think they burned some that day.

Q. The villages would have been on the company CP, on the 1st Platoon side. Those out on the coast I don't think would have run into any villages. If they would have burned any they would have burned them on the riverside.

A. Right, sir. Captain MICHLES, if I can remember right, he called and told them not to be setting the villages on fire. If I recall, that's what he said that day. We weren't supposed to be burning villages in that area. It was supposed to be friendly villages.

Q. What time was this, do you recall?

A. The 17th. I don't know exactly what time it was that day.

Q. We're pretty sure that B Company burned three villages that day.

A. I don't know how many they burned that day. It was more than three I know of.

Q. It depends on what you say a village is.

A. The ones I was at going down south, there was some pretty good-sized villages going on down through there.

Q. Were there any explosives used down on through there?

A. I don't remember any, sir.

Q. How about a helicopter resupply coming in the first day? Do you remember that coming in the village?

A. Yes, sir, I do.

Q. Were there explosives on it? Ammo? What was the purpose of the resupply?

A. They had C4 and TNT I think.

Q. There was a lot of C4 and TNT being used up that day.

A. Yes, sir, I know but I couldn't say when they used it or nothing. I don't know for sure. I don't know if they used it the second day or the first day.

Q. That helicopter came in the first day. Do you remember a helicopter coming in the second day with Lieutenant LEWIS, a new officer, taking Lieutenant COCHRAN's place?

A. No, sir, I don't remember that coming in.

Q. Do you remember Lieutenant MUNDY?

A. I remember him but I don't know when he came.

Q. You don't remember seeing him that day?

A. No, sir, I don't.

Q. The 17th?

A. No, sir.

Q. You moved all the way south?

A. Right, sir, that I can remember.

Q. P-212? Do you recognize that?

A. Yes, sir, I remember that because they got a lot of sailboats out through there.

Q. Was that village burned? That's on the extreme southern tip.

A. I don't recall if we did burn it up, sir, but I know of a few fires starting on the inside of it as you enter it. I know a few of them was burned that I know of. I don't know if it was everything burned or not.

Q. What about across the river over there while you were going down? Did you see any burning going on over there?

A. No, sir, not that I can remember.

Q. Where were you watching these sailboats?

A. On the ocean that day. It was towards the river and the ocean, it looked like. Water was on one side and you would go all the way down to the ocean. I think it was the ocean.

Q. I'm talking about while you were going there, not while you were there.

A. No, sir.

Q. How about that night? Did anything unusual happen that night?

A. I don't think so, sir, because all of us were laagered in there together. It was a close perimeter. I remember nothing happened that night. I remember we had a close perimeter that night, the whole company.

Q. Going down there do you remember seeing a Vietnamese woman with the ARVN people who were with you or do you remember seeing the ARVN with you?

A. I remember the ARVN the second day, but I don't remember them coming the first. I don't know if they had a woman or not, unless it was the one that TAYLOR had.

Q. Why would you say that?

A. What?

Q. Unless it was the one that TAYLOR had?

A. Well, after TAYLOR got hit, she didn't take off, she stayed with the company there for a long time. She stayed with the company. We surrendered all the people about the last day there.

Q. Well, we've heard reports from other people that she was turned over to the ARVN's, stayed with them--

A. (Interposing) I don't know if she was or not, sir--

Q. (Interposing) To cook for them.

A. I don't know if she was or not.

Q. Do you recognize anything in that photograph, P-210?

A. I don't seem to recall it, but the way the woman looks, she got an Army knife.

Q. Which woman is that?

A. The one that TAYLOR had that I remember, her.

Q. Is that the one?

A. It looks like the one. I know we had--she was exactly--but I don't know if she stayed with us or not.

Q. Well, now why do you say--

A. (Interposing) She's got an Army knife in her hand that I know of.

Q. What is that she's got on her head? Didn't she have some sort of unusual headgear on?

A. That's an ARVN helmet.

Q. Did she have that on when she was with TAYLOR?

A. No, not that I know of.

Q. Are you reasonably sure that this was the same woman that was with TAYLOR?

A. Yes, as far as I know it's the same woman.

Q. How can you tell?

A. Well, she got the same shoes on and everything and they don't wear the same kind of shoes over there as I remember. A lot of them wear different kind of shoes.

Q. What else?

A. One reason I know it, sir, because I remember seeing cooking utensils in that village that day.

Q. What village?

A. It's not too far from where we laagered that night.

Q. What, these cooking utensils here?

A. Right, sir.

Q. But TAYLOR wasn't there?

A. No, sir.

Q. Well, the story we got was the ARVN's had a woman cooking for them and somebody else told us that was the same woman that TAYLOR had?

A. Well, that does look like the same woman that TAYLOR had with the shoes and the American knife she's got there, these utensils she got here--

Q. (Interposing) You mean she carried those cooking utensils?

A. No, sir. They were down there in the village.

Q. That's near where you laagered?

A. Right, sir.

Q. Was this woman mistreated by the 1st Platoon?

A. Not that I can remember, sir, unless TAYLOR mistreated her when she was with him. I don't think he mistreated her. She was awful friendly. She even cried the day he got hit.

Q. After he had her on a rope?

A. Yes, sir.

Q. What did he have her on the rope for?

A. I don't know, sir. I guess it was to keep her from running off. That's the only reason I figure he had her on the rope.

Q. But he did have her out in front. You say WILLINGHAM saw her, right?

A. That I know of, sir, he did. I know he saw her, sir, because they wasn't sleeping too far from us that night.

Q. Did you hear anything about rape and stuff in that first village?

A. What?

Q. Rapes?

A. No, sir. No, sir, I didn't.

Q. You broke camp that night and went back up by the bridge, and the 1st Platoon found 3,000 pounds of rice. You moved right up to that village up there, the big village where they had all those people?

A. We moved all the people down to one end of the village.

Q. You moved all the people down and you had a MEDCAP?

A. Right, sir.

Q. Did you see any ARVN up there?

A. Yes, sir, because the ARVN's were coming in just when a whole lot of people were in a big circle there, slipping out and all like that.

Q. Did you see any MI personnel up there, military intelligence?

A. I don't remember, sir.

Q. Did you see any interpreters interrogating people?

A. Yes, sir.

Q. Were they ARVN's or U.S.?

A. They was ARVN's as I remember. The ARVN's carried them in the village and was talking to them.

Q. Who were they interrogating, men or women?

A. Interrogating them both.

Q. Were they in view? Did you see them interrogate them?

A. Well, we could hear some go down there--you could see them taking them into the village. And they would be there for a little while and wait for the head man to come over and say they could go, and they would go back after more.

Q. Did you see any mistreatment?

A. No, sir, I didn't see any mistreatment that day.

Q. That was on the 18th?

A. That's it.

Q. Did you see the medical team come in there, see the MEDCAP?

A. No, sir, I don't remember seeing them.

Q. There was a fairly large medical team brought in there to process these people. I don't know how long they stayed. If you were out searching these villages, you probably wouldn't have seen them anyhow?

A. No, sir, I wouldn't have.

Q. When you went back and set up the laager area that night, were any prisoners around? Do you remember seeing any prisoners?

A. Yes, sir. They had some of them in the area that we were going to laager in that night. We had them clean out tin cans and stuff. And we found two or three 79 rounds near the root of a tree. We got them--couldn't find nothing else there and we had them walk up and down all over the field side by side trying to clear in there, and they cleaned all the cans and stuff and piled them all in one place. I think they kept some of them that night, mostly young boys.

Q. These M-79 rounds, were they booby-trapped?

A. No, sir.

Q. And these people were used to clear the laager area?

A. Yes, sir.

Q. Then they were turned loose?

A. No, sir. They kept the young military-age males. The women and the children were turned loose.

Q. Did you see any artillery fire come in that day, marker rounds?

A. Yes, sir, because they called some that night, I imagine before it got too dark, so they could get their mortar set up and call in artillery if they had to have it. This way they would already have their locations in.

Q. Did you see the woman that was brought in with her leg all cut open?

A. No, sir, I did not. I remember they said that her foot was turned around backwards. I remember one like that-- I don't remember one with her leg cut open just fooling around--

Q. (Interposing) What happened to her?

A. I don't know, sir. All I can remember is them bringing one in like that. I don't know if it was that one that "frags" got or what.

Q. One what?

A. One of the "frags"--some rounds that was fired in.

Q. Who brought her in?

A. I don't remember who brought her in, sir.

Q. Was she evacuated?

A. Yes, sir, she was.

Q. It must be the same one. Her leg was in real bad shape if I remember. You had a mortar attack that night. I think we got most of the information on that. In fact you had two mortar attacks that night. Do you remember the single round coming about 4:40 in the morning? One came in at 1:40, that was 15 or 16 rounds, and one came in at 4:40. Now this attack resulted in one KIA and five wounded. Did you know that?

A. I remember we had one KIA that day and four wounded, and one of them died that night.

Q. Right, one died. Were all those people from the 1st Platoon?

A. All but one of them, he was from the 3d Platoon I think.

Q. Which one was from the 3d Platoon?

A. I can't think of his name. One of our men, his name was Sergeant RUSHIN. I can't think of that other kid's name.

Q. Well, let's see, we got two. MOSSFORD was the one that died later.

A. Right, sir.

Q. HARTSELL, MILLSAPS.

A. MILLSAPS was the other one that was in my platoon. The other guy was in the 3d.

Q. ANDERSON? He was wounded. ANDERSON, RUSHIN, MILUS was killed, HARTSELL, and MOSSFORD.

A. I just remember getting five, there was one killed and four wounded that I know of.

Q. Five wounded, one killed.

A. I know we got four by the mines. I remember seeing one from the 3d Platoon. I saw him wounded.

- Q. Were any of these people good friends of yours?
- A. Yes, sir, MOSSFORD and that MILLSAPS, he was a good friend of mine, and Joe. Me and the sergeant, we got along pretty well.
- Q. RUSHIN?
- A. Yes, sir.
- Q. Whom are you calling Joe?
- A. MILUS.
- Q. MILUS, was he a good friend of yours?
- A. Yes, sir. We got along pretty well.
- Q. MOSSFORD?
- A. Yes, sir.
- Q. And MILLSAPS?
- A. Yes, sir.
- Q. Where's MILLSAPS?
- A. Well, I heard of him when he got hit. He got hit in the leg and he had a cartilage tore to pieces. He had to keep a big bunch of it out of his leg someplace above his knee or below it. That's the last time I ever seen him, and I never seen him come back or heard from him or anything.
- Q. You seem to have been taken a little back when I mentioned this mortar attack. Why?
- A. Sir?
- Q. You seem to have had some reaction when I mentioned this mortar attack. Why?
- A. Well, sir, that's all I can remember is when we get hit. It's something I can't let out. I wish I could forget.
- Q. Did you get involved with moving these people that night?

A. No, sir, because I took over a position that night wouldn't nobody take it. The assistant gunner, they pulled him off, and JONES, he wouldn't stay there. They had a location on that machinegun set in at night. Me and two more guys took over that night--

Q. (Interposing) What did they do with MILUS?

A. I think they kept him there that night and sent him out the next morning.

Q. What about these other boys, did they get them out of there pretty fast?

A. Yes, sir, the ones that was wounded I think they took them out that night. I'm not sure.

Q. Took them out that night?

A. Yes, sir. I'm not sure if they sent them out or not.

Q. We had a log indicating that mortar fire came in at 1:30 and at 1:44 a request was made for a dustoff, and 2:44 the dustoff was completed.

A. I don't know what time they said it came in or anything, the mortar and all, but I know the medic was supposed to wake me up for guard duty and he didn't do it. He fell asleep on guard and what woke me up was the first explosion that came in. That's what woke me up. I thought we were having short rounds or something.

Q. Were you in a foxhole that night?

A. Yes, sir.

Q. Who was the medic?

A. Doc SILVA.

Q. SILVA?

A. Yes, sir.

Q. Do you know where he is?

A. No, sir, I don't. I don't know, sir. All I know is SILVA.

Q. On the next day, did you see any interrogations going on?

A. Next day we moved out. I seen interrogation going on of those military-age males we kept that night. They were supposed to take us to the bunkers and all where they had enemy supplies and stuff like that in it. I don't know which platoon was point that day. I know mine wasn't. But there was one that broke and ran..I know the point was shooting they wouldn't let him get as far as the other one did. Next then we went on around--

Q. (Interposing) Let me have that one more time now, who was running?

A. They had one of the military-age males. He broke loose and took off running. Guys on the point, they hollered: "Shoot, shoot," and they hollered two or three times before they ever shot at him. And he ducked behind the building when they did open up.

Q. You think they held their fire deliberately?

A. Well, I don't know, sir. They just didn't know whether to shoot or not, let the other man do the shooting. I seen a lot of that going on. One man thinks the other one is going to shoot.

Q. And were you on the march when this happened?

A. Yes, we was marching at that time.

Q. Where were you going?

A. Well, we was going to--they had enemy supplies and stuff in the tunnel with weapons.

Q. In other words, you were going out there to search that tunnel?

A. Yes, sir. We was in behind the point team, point element, point platoon.

Q. Was this the whole platoon that was going out?

A. It was supposed to be two platoons and the CP group.

Q. All of you were going out there to that tunnel?

A. That I remember.

Q. And this man broke away at that time?

A. Right, sir.

Q. He was leading you?

A. Yes, sir, him and the rest of them. Just one of them broke away.

Q. Well, what time was that? Had you already had breakfast?

A. I don't remember, sir, but I think so. I'm not sure.

Q. Did you see any interrogations going on before that?

A. Yes, sir, I did. They sent us down first, sent us down to check that village out where the mortar rounds had come from. They sent us down there, and the guys in my platoon--I watched them beat up one of those guys down there.

Q. One of the VC?

A. Right, sir.

Q. Well, did they take him down there with them or did you pick him up on the way?

A. They took him and two more, I think, with them. They took three of them in all down there.

Q. Took three total, and they beat up one?

A. Right, sir.

Q. What about the other two?

A. Well, they just hit them a couple of times, but

they did them only half as bad as they did the first one.

Q. This man who was beat up, did he walk back?

A. Yes, sir, he walked back.

Q. He came back?

A. Yes, sir, but he was bloody and all.

Q. But did he escape?

A. Yes, sir, he is the one that escaped on them.

Q. He is the one that escaped?

A. As I remember, because I didn't seen him--

Q. (Interposing) Who beat him up?

A. Doc SILVA; the assistant gunner; just two or three of them. I don't remember the other one.

Q. Who was the assistant gunner?

A. They called him LONG or something. LONG is his name.

Q. You mean the machinegunner?

A. Yes, sir, because he went crazy when "Jug" got killed. They had to pull him off of his gun.

Q. LONG?

A. Right, sir. He lost half of his foot, I think it was on the 24th, but he lost half of his foot.

Q. LONG did?

A. Right, sir. They had two LONG's. One of them was a little guy and one of them was--

Q. (Interposing) We have a Samuel E. LONG.

A. What did he look like, sir?

Q. A little, short fellow as I remember, wasn't he?

A. White kid?

Q. Yes.

A. That's the reason he wasn't the assistant gunner.

Q. Is that right?

A. Because all of our machinegunners are the same race, sir.

Q. We don't have--I don't know of another LONG. The only one we've got--Samuel LONG is the only one we've got. It might be another name.

A. He went by LONG, that's what we called him, LONG. If I remember right, before he took the machinegun up he used the M-79. He could call the shots and they would go where he'd call.

Q. So the ones that beat him up were the assistant machinegunner--

A. (Interposing) Right, sir.

Q. Who was MILUS' assistant. And who else?

A. Doctor SILVA.

Q. The medic?

A. Right, sir, somebody beat him up. It was two or three of them, but they were the only two names I could get.

RCDR: How many men do you have assigned with the name of LONG?

COL WILSON: We have Samuel E. in here.

RCDR: Was this Samuel E., around the 18th of April, assigned as a loss from--

COL WILSON: (Interposing) That's right. This is the man who said he wasn't on this operation. So the guy we're talking about wasn't there.

A. But this LONG, he was there.

Q. But this is not the same LONG you're talking about. There must have been two LONG's in the company.

A. Well, I know we had two LONG's.

Q. One was Negro and one was Caucasian, right?

A. Right.

Q. This LONG here, as I remember, wasn't he Caucasian? The one that came in here, Samuel LONG? So this is not the one, there must have been another LONG in the company?

A. It had to be, sir, because we had two in my platoon that I know of.

Q. We have a photograph of him. I don't really remember, but what about the squad leader there, LIAS?

A. I think he beat him that day too. I'm not sure whether he beat him or not.

Q. It was more than one man involved?

A. That's right, two or three of them was involved. I know that.

Q. Did you ever see that man there? This is P-215?

A. That man looks like the one that was beaten up.

Q. That looks like the one that was beaten up?

A. Yes, sir, it does.

Q. This picture is not very good, but does he look in the picture like he'd been beaten up, or was this before he'd been beaten up?

A. He looks like he's been beaten up. His lips are swelled out.

Q. Yes. Where was he bleeding?

A. Bleeding mostly from the face, his nose and his mouth.

Q. This picture indicates that's the one who got away?

A. Right, sir, I remember that.

Q. And that would be the man you're talking about?

A. Right, sir.

Q. And this is the man that was beaten up?

A. That's right.

Q. And you think this picture was taken after he was beaten up?

A. Yes, sir, because his lips--

Q. (Interposing) Because his lips are bigger than they are normally?

A. Right, sir..

Q. I don't see any blood.

A. I don't either, sir. Before we got back Doc SILVA washed it off, and they couldn't hardly tell he was beaten up or anything like that. They asked him why was his lips swelled up.

Q. Now Mr. JENKINS, before I get to the more important questions, I want to bring out one more thing. If you know anything and you're staying silent to protect somebody, sometimes silence can do more harm than good.

A. Yes, sir, I know.

Q. Because we have got certain allegations against people in the 1st Platoon, and if the facts are not brought out, it's pretty bad. And this silence isn't necessarily helping anything. So if you are remaining silent for that purpose, I would advise you not to.

A. I know sir. Well, I know I can't remember what

they done the first day we was shooting in the village, or if there was any KIA's or not. It could be, if I remember, wasn't too much going on besides COCHRAN being killed. And I hadn't seen no hundred get killed all the time I'd been over there. I didn't see nobody in our company--in our platoon killed. I guess I seen one guy get killed.

Q. In our records we've got all these people reported killed. We've had one man who said he saw some military-age males. Most of them said they saw women and children.

A. There was women and children in the village that day. I'd say they got killed, but I can't remember. They more than likely got killed because I know the 1st Platoon. A lot of old men got their--well, they would usually kill them. I can't remember whether they killed them or not.

Q. What do you mean they'd kill them?

A. Well, everytime they'd find somebody that looked military-age to them, or say they'd run, they'd shoot them whether they was or not.

Q. What we need to establish is either that these people were VC body count or that they weren't VC. They were women and children?

A. Well I know that we had more women and children there than we did--I didn't see no military-age men. I seen old men. I don't know if they killed the women and children and old men or not. I don't even know if they done shooting that day or not.

Q. Would you remember any bodies if you'd have seen them?

A. Yes, sir, I would.

Q. You would've remembered bodies?

A. Yes, sir, I would have remembered seeing bodies.

Q. You can say with reasonable accuracy that you didn't see any bodies?

A. Yes, sir.

Q. Based on your memory?

A. Yes, sir, I don't remember seeing any bodies at all.

Q. Of any kind?

A. No, sir.

Q. And you went through that village on that trail?

A. Right, sir.

Q. And you were with Lieutenant WILLINGHAM?

A. Right, sir.

Q. The 2d Platoon came through there the next day and said they saw bodies.

A. Well, I don't remember if I saw bodies or not, sir, because I was always scared during that operation for some reason.

Q. Why?

A. I was always scared during that operation. I always watched where I was going. I watched the trees and all that, still green, you could say. I didn't like to do no killing or see anybody killed.

Q. Well, I still want you to think back and see if there is anything you can recall, because your memory falls short in a very critical period, about the most critical period of the operation. I'm not by any means asking you to incriminate yourself.

A. I know, sir. As long as my head stays swimming like I am right now, I can say a little bit, not much as long as it stays swimming. I know when we went across the bridge, there was some killing.

Q. Was it from machineguns or small arms, or what?

A. Both of them.

Q. Where was the fire coming from? Was it coming from the 1st Platoon or the other side of the bridge?

A. Well, first before they started firing--it was

firing at the other side of the bridge, the 1st Platoon was, because they said they received a few rounds, or their point did. And I don't know if they did or not. They might.

Q. This was about right here?

A. Yes, sir.

Q. Who was firing?

A. The point team was, TITTLE and TAYLOR.

Q. They were firing into the village?

A. No, sir, not at the time. They were firing back across the bridge where they said they received a few rounds. I don't know if we received them from the other side or not after we got--at this time. After the rest of them got over--before the rest of them got over, we had one squad over there. I know they was doing some killing. Some guys picked out a woman and two childs, two kids.

Q. What range?

A. Oh, about 25-30 meters from us.

Q. Was this on the edge of the village?

A. Right, sir, they come over from the hootch, over a little hill, in behind a hootch, to use the latrine you could say. They squatted down and I watched two guys cut them down.

Q. It seems odd. Was there firing going on out there when they came out of the hootches?

A. Well, at the time it had stopped. I remember MICHLES saying, "Don't you kill women and children."

Q. That was on the radio?

A. Right, sir.

Q. Was this firing done from the point or from the lead squad off the bridge?

A. From the lead squad, the men who got over there. They was doing the killing themselves. They was sending the

point to do it. And they seen people going down in the tunnel. That's the reason they called demo in.

Q. Called what?

A. These people going down in the tunnel, they used all the demo stuff they had going down in the tunnel after them.

Q. Who was doing that, the point?

A. Yes, sir.

Q. Did they call them out first, or did they just throw the demo in there?

A. They just threw it in there without calling them out.

Q. How about those that were coming out?

A. Didn't none come out, sir.

Q. Did these charges destroy the tunnels or just--

A. (Interposing) They just caved the tunnels in as I remember. The point said it caved them in.

Q. Said what?

Q. They didn't want them still alive. They'd just dig their way out by tomorrow morning. They should be out by tomorrow morning. They usually had different exits to the tunnels. They'd probably go out that way unless we caved in behind them too.

Q. Were they going out the tunnels or the bunkers?

A. They were going down in tunnels at the time.

Q. How can you tell the difference between a tunnel and a bunker from the outside?

A. Well a bunker, they got sort of logs and webbed

mortar, sturdily built. A tunnel just goes down in pretty deep, narrows off, and comes back out in another place.

Q. These things you were destroying, were they tunnels or bunkers?

A. Well, they said they was tunnels. They took their word that they was tunnels and everything.

Q. What about these people who got--you say one woman and two kids got cut down. Was this machinegun fire or small arms fire?

A. Well, machinegun fire and small arms fire.

Q. There was more than one person firing then?

A. Yes, sir, because three guys standing beside me cut them down.

Q. Yes?

A. Three guys were standing beside me and I told them we got orders not to shoot them. They shot them down anyway.

Q. You said they had orders not to shoot them?

A. Right, sir.

Q. Was this the point group?

A. No, sir, it wasn't the point group at that time. It was three men out of the first squad that did it.

Q. Who was it?

A. Two men I can't remember. I can just remember one of their names.

Q. Who was that?

A. Larry HOLMES.

Q. Was HOLMES armed--what was he armed with?

A. He had an M-16.

Q. He had an M-16. What did the other two have?

A. One of them had a machinegun, the other one had an M-16.

Q. Two M-16's and one machinegun opened up firing?

A. Right, sir.

Q. Twenty-five to thirty meters?

A. Right, sir.

Q. No question of identification?

A. No, sir, it wasn't. I could tell it was a woman and two little kids.

Q. No hostile action?

A. No, sir. All they was doing is came over to use the latrine. That was it. Just about all the firing had stopped at that time after I spread the word to hold fire. When they came over, they seen them and fired at them, cut them down.

Q. Where was Lieutenant WILLINGHAM?

A. I think he went up front closer to the point. He told me and the other RTO wait back there, me and FERNANDEZ. He called him up, MICHLES called Lieutenant WILLINGHAM up for something, I don't know what he called him for. FERNANDEZ went after him. I was left monitoring the radio. FERNANDEZ, he carried his with him.

Q. So FERNANDEZ was left with you at this time?

A. No, sir, he went up front before they came over.

Q. FERNANDEZ was with WILLINGHAM then?

A. Right, sir.

Q. This wasn't up front? This was in a different location?

A. Yes, sir. We stopped the squads and everything

sort of in front of the village, the front part of the village. Then part of them moved up and was setting up a CP in a building that nobody was in.

Q. Well, this was about the only firing that was going on, wasn't it?

A. Sir?

Q. That was the only firing that was going on at that time?

A. Which one?

Q. That last time when HOLMES and those other two men opened fire?

A. Yes, sir, it was cause we had done received orders to hold fire and everything.

Q. Well did WILLINGHAM come up there when he heard that fire?

A. No, sir, he didn't. He just figured one of them had his weapon jammed, was clearing it up.

Q. Well what happened to these people? Did anybody make any effort to get rid of these bodies?

A. No, sir, they didn't, they just left them there.

Q. They just left them there?

A. Right, sir.

Q. Was this off to the side of the trail or was it--

A. (Interposing) Off to the side of the trail behind one of the hootches. If you'd look good you could see them, one or two of them anyway.

Q. Was that all you saw?

A. Yes, sir.

Q. Direct firing?

A. They're the only three I saw which had been directing fire at anybody. They're the only three bodies I seen.

Q. You didn't see any more bodies lying around?

A. No, sir, I just heard one guy say he killed an old man that was sitting in a hootch with a baby. He killed the baby too.

Q. Who was that?

A. I don't know who he was, sir. He hadn't been over there very long.

Q. Was he talking about it that day or later, some other time?

A. That day, sir. After they got done killing, they usually talked about what they done.

Q. What?

A. After they was done killing, they usually talked about what they done. They'd sit up at night.

Q. Well, I don't imagine there was much talk about killing women and children was there?

A. Well, among them there was. They'd see all their buddies messed up. They'd just want to take revenge.

Q. Yes. Sometimes they're taking revenge on the wrong people.

A. Yes, sir, I know. I never could work that way.

Q. Do you think Lieutenant WILLINGHAM knew this was going on?

A. Yes, sir, he did.

Q. How do you know?

A. Well, after that we got over there. They counted the bodies. There was 39 bodies. They told him the biggest part of them was women and children.

Q. Who counted them?

A. The point men did. They're the ones that counted them.

Q. Did you hear when they told him this?

A. Yes, sir, I did, because I was with him at the time they was telling him how many it was.

Q. You were with him?

A. Yes, sir, at that time, when they told him how many was killed.

Q. And who told him? TAYLOR or TITTLE?

A. I don't know if it was TAYLOR or TITTLE. All three of the point men was with him when they told him. I don't know which one of them told him.

Q. What's your schedule? Are you scheduled to leave tonight?

A. Yes, sir.

Q. Do you have to get back?

A. Yes, sir. I got to go to work tomorrow morning.

Q. What time are you scheduled out?

A. Eight o'clock.

Q. General PEERS might want to talk to you. Let me ask you a couple questions here before we stop. How about investigations? Did you hear that there was an investigation conducted on this operation before you left Vietnam?

A. Which one?

Q. That one that we just got through talking about.

A. No, sir, I didn't.

Q. Did you have a camera?

A. No, sir, not at that time.

Q. Did you hear any rumors about civilians being killed unnecessarily after you saw some of them?

A. No.

Q. Were you told by anybody not to discuss these killings?

A. Not that I can remember.

Q. Do you know if there was any marijuana used by that platoon that day?

A. I don't know if it was used that day or not, sir. I know they--some of them used it every now and then, but I don't know if they used it any that day or not. Because usually when they get loaded on marijuana, they shoot whatever moved, including their own men.

Q. You mean they used it on operations?

A. No, sir, they don't use it. When some people use it and goes out in the field, they kill their own men, whatever moves.

Q. Well let's see, HOLMES usually associated with CARDINES, MADISON, a fellow named YARBER, and LITTLE.

A. Did you say YARBER?

Q. I have a man named YARBER listed here. Did you know him?

A. Yes, sir, I did.

Q. Was he there that day?

A. I don't know, sir. I don't know if he was on that operation or not.

Q. HALL works kind of close to HOLMES. Was he one of them that was doing that firing?

A. HALL, as I think about it, he wouldn't kill nobody. He tried to be a preacher. He wouldn't kill nobody. I never saw him fire his weapon.

- Q. How about GARCIA? Did you know him?
- A. I think he got killed over there.
- Q. JONES; ALENKOW?
- A. ALENKOW, I don't remember him.
- Q. MICHENER?
- A. I know MICHENER.
- Q. Was he with him?
- A. I don't know if he was with him there or not, sir.
- Q. MADISON?
- A. MADISON wasn't with him because he was point man at the time. He had a machinegun at that time. He was a machinegunner, carried a machinegun.
- Q. WARNER? STRACHAN? FERNANDEZ? LITTLE?
- A. Not that I know of, sir.
- Q. Who would have had that M-60? That M-60 must have been--
- A. (Interposing) The machinegun. I don't know which one it was.
- Q. Must have been MILUS. Was he on it? Or was there another machinegunner for that squad?
- A. We only had one machinegun for each squad that I recall.
- Q. Was MILUS the one that was firing the machinegun?
- A. I don't know if it was or not, sir.
- Q. Larry HOLMES is the only one you can remember of the three that was firing?
- A. Yes, sir, because I told them they weren't supposed to be firing any more.

Q. And you told him, didn't you?

A. Right, sir. And the others were standing close enough so that they could have heard me too.

Q. And they fired after that?

A. Right, sir.

Q. Do you know Terry REID?

A. No, sir, I can't place him.

Q. Well let me ask you this. At the time that Lieutenant WILLINGHAM discovered most of these reported kills were women and children, did he report this back to the company commander?

A. I can't recall whether he reported back or not, sir.

Q. Do you know what time of day that was?

A. No, sir, I don't know what time--it was about half a hour to an hour after we got across, maybe 45--

Q. (Interposing) That was in the morning. About half an hour to an hour after the platoon crossed the bridge, that was in the morning, or maybe around noon. The first bunch reported was 0955; second bunch was about 50 minutes later.

A. I remember the guns shooting in that village that day.

Q. There was a question about the fact that the company commander reported to Task Force Barker that there were no women and children included in this kill. And that's the reason I wondered if this question hadn't come up to Lieutenant WILLINGHAM.

A. I don't know if it did or not, sir, because I can't remember that.

Q. All right, I want to request that you not discuss this investigation--I mean this testimony, the questions that have been asked during this period--

A. (Interposing) I can't remember what I've done anyway.

Q. With anyone, unless you're called before a judicial or legislative body. The hearing will recess at this time.

(The hearing recessed at 1652 hours, 9 February 1970.)

(The hearing reconvened at 1700 hours, 9 February 1970.)

IO: The hearing will come to order.

RCDR: The following named persons are present: LTG PEERS, COL WILSON, and MAJ THOMAS.

Mr. JENKINS, you are reminded that you are still under oath.

COL WILSON: Sir, let me just review briefly a few points that Mr. JENKINS has brought out. One, that a boy named Larry HOLMES and two other men whom JENKINS cannot recall opened fire, at 25 to 30 meters, on a woman and two children. He had told HOLMES before this happened that he had gotten a communication from Captain MICHLES, the company commander, not to fire on civilians unless they were combatants. And second is the point that Lieutenant WILLINGHAM was told that morning that the VC KIA body count was mostly noncombatants.

IO: Now, we're talking about the first morning?

COL WILSON: The first morning, sir, and the first day. And he does have a little trouble with his memory.

IO: Mr. JENKINS, what was your relationship with HOLMES? Were you a squad leader or an acting squad leader?

A. No, sir. I was an RTO.

Q. RTO? I see. So, you passed information on as you were Lieutenant WILLINGHAM's RTO.

A. Well, I was not his RTO. I was the platoon sergeant's RTO. His RTO and him went up because he got a call, and while he was up there he got the order not to shoot women

and children.

Q. Do you remember the time of morning or day that was?

A. No, sir, I don't. It's not too long after we got across the bridge. That's all I remember.

Q. Well, you landed sometime around 0830, and it took you an hour or so to get across the bridge, didn't it; and down into this territory?

A. I don't know, sir.

Q. Who gave the order? Did the order come from Captain MICHLES?

A. Yes, sir, not to shoot women and children.

Q. Do you say not to shoot them, or to stop any shooting?

A. He said, "Stop shooting women and children, if any." Women and children were not supposed to be fired upon.

Q. Did you see, aside from this one woman and two children, any other civilians that had been killed?

A. No, sir. As far as I remember, they were the only people that I seen killed.

Q. But you did see them?

A. Yes.

Q. Did you see any women that were raped, or anything of this category, molested in any way?

A. No, sir. I didn't see none of that in that way.

Q. Did they take any of the women with them?

A. They took one with them. One of the point men did.

Q. What did he use her for?

A. He put her in front of him.

Q. To clear out any mines or booby traps?

A. Yes, sir.

Q. What did you hear as far as additional women and children being killed?

A. Well, I know one or two of the other men killed an old man. And, that's all I heard besides the others that had been killed. They said that most of these women and children had been killed.

Q. How many did they say had been killed?

A. That morning they said at least 38 of them. That's the full count at one time.

Q. Well, that was the report that went in. A total of 12, and 18, and then in the afternoon another 8 were reported, as I remember.

A. Well, the time that I remember, they said we had 38 killed, 38 KIA's, and I don't remember what he said about women and children, or old men, or that.

Q. He reported them as VC KIA?

A. Right, sir.

Q. But you had been told that they were women and children?

A. Yes, sir.

Q. How did this make you feel?

A. It made me feel pretty bad, sir, because I can't see nobody killed in cold blood. I can't do it myself.

Q. When you were back there as the RTO, Mr. JENKINS, did you hear some demolition charges go off?

A. Well, I heard something exploding, but at the time, I didn't know what they were doing. Later that evening I found out that they were filling in holes that people were in. They said some of them would be able to dig themselves out by morning.

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Q. Did you hear of any of them being killed or cut down with M-16's as they were coming out of their holes?

A. No, sir. I don't remember any of them coming out of the holes and cutting them down.

Q. Well, I think we could go on but I think that's what I wanted to talk about. Can you recollect anything else? You may recall facts and so forth of houses burning and so forth, which went on down the coastline, so to speak.

A. Toward the south?

Q. Yes.

A. There was some of that.

Q. Well, how many did you burn, or did they burn, should I say?

A. I don't know exactly how many they burned. But, they burned more than two or three villages.

Q. I want you to know that we are investigating this and I don't appreciate my job as Investigating Officer, but I feel the same way that you do, in that we are soldiers and we are American soldiers. We have certain obligations which we have to uphold. So, we're not leaving any single stone unturned in order to get at the facts.

A. Yes, sir, I know.

Q. We have to uphold our honor. And, that's what we're going to do. I very much appreciate your coming in and telling us what you saw, and what you know.

Do you have anything further?

A. No, sir.

IO: The hearing will recess.

(The hearing recessed at 1735 hours, 9 February 1970.)

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SUMMARY OF TESTIMONY

WITNESS: JONES, Marvin B.

DATE OF TESTIMONY: 7 February 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: Rifleman, First Squad, First Platoon, B/4/3.

1. PRIOR TRAINING IN THE RULES OF LAND WARFARE.

The witness did not recall receiving any training on the legality versus the illegality of orders (pg. 2). He was with the 11th Brigade in Hawaii but did not remember seeing the MACV cards, "Nine Rules" or "The Enemy in Your Hands" (pg. 3).

2. PREOPERATIONAL PLANS AND BRIEFINGS.

The witness did not specifically recall being briefed by a squad leader or a platoon sergeant (pg. 3). He thought that the operation was to be a search and clear but he did not regard it as being any different from any other operation (pg. 4). He stated that normally they would gather the people of a village together and search the hootches (pg. 4). Any of the men who were suspected VC would be brought back with the unit (pg. 4). He stated that normally they did nothing with animals (pg. 5). The witness stated that he thought the area was bad because of the boobytraps (pg. 5). The witness stated that on the day in question Lieutenant WILLINGHAM was his platoon leader and Sergeant LIAS was his squad leader (pgs. 6, 13). The witness was in the first squad (pg. 7).

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3. COMBAT ASSAULT.

a. Activities on 16 March.

(1) Landing and initial movement.

The witness stated that after they landed they probably remained in the landing zone area for 10 to 15 minutes (pg. 7). He heard an explosion, and the word came down that Lieutenant COCHRAN had stepped on a mine (pg. 8). His platoon was moving when this happened (pg. 8). They had not yet reached the bridge (pg. 9).

(2) Activities at the bridge.

The witness stated that he remembered crossing the bridge, but he did not think they received any fire (pg. 10). He stated that when they approached the village he could hear firing (pg. 12). He remembered seeing WILLINGHAM cross the bridge, but he did not see WILLINGHAM after his squad set up flank security (pg. 12). They set up security close to the bridge (pg. 13). The witness did not know if the platoon received any fire from the village and did not know if bunkers had been destroyed in it (pg. 14). The witness stated that the firing which he heard, he thought, was members of his unit "reconning by fire" (pg. 15). Later, when he entered the village he saw a woman lying by a bunker (pg. 16). He stated he thought the woman was killed by artillery which had been fired prior to their landing (pgs. 16, 17). He thought the artillery landed in the village, but he did not see it land (pg. 17).

(3) Subsequent movement of the platoon.

The witness stated that his squad was spread 50 to 60 meters along the river as they pulled flank security (pgs. 19, 20). They remained in this position for approximately two hours and ate lunch (pg. 20). The witness stated that he did not wander into the village because he feared boobytraps (pg. 21). He did not know which trail the platoon used into the village (pg. 21). He did not see MILUS fire his machinegun, although he did see MILUS go by and then heard the machinegun go off (pg. 22). The witness stated that

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prior to their leaving the village at 1600 hours he saw a little boy with a shoulder wound who was treated by a medic (pgs. 24, 25). He stated that there was also a small group of people who were not under guard (pgs. 24, 25). These were the only people remaining from the group that he had seen darting from place to place when they first entered the village (pg. 26).

(4) Laager area activity.

The witness did not recall any Navy boats coming in with sampans (pg. 27). He did not see TAYLOR use a woman on a rope to precede the point (pg. 30).

b. Activities on 17 March.

(1) Activity at the bridge.

The witness stated that TAYLOR was probing for a mine three to four feet from the bridge when he was wounded (pgs. 31, 35). TAYLOR was put into a poncho and carried to the helicopter (pg. 35). Before the dustoff, gunships had come in and this was the only firing which the witness heard (pg. 33).

(2) Movement of the unit.

The witness agreed that when the gunships finished firing at the village the company moved south (pg. 36). As he passed through the village he did not see anything and he stated that his squad did not blow the bunkers (pg. 36). He did not know if a photographer came in, although he knew that two or three helicopters did land (pgs. 37, 38).

c. Activity on 18 March.

(1) Dealings with the civilians.

The witness did not remember seeing any ARVN's or any medics conducting a MEDCAP on the beach (pg. 41). He did know that they picked up a number of people, but he thought it happened in another area (pg. 42).

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(2) Night laager position.

The witness recalled receiving small arms fire during the mortar attack that night (pgs. 42, 43). The witness did recall that they had air support. At 0500 hours a single mortar landed in front of his foxhole (pg. 44). He did not recall any detainees being kept in the area that night (pg. 45). He did not recall Sergeant LIAS hitting one of them the next morning (pg. 45).

4. INQUIRIES CONCERNING THE ASSAULT.

The witness stated that he never heard MILUS or anyone talking about killing people on the operation (pg. 46). He did not know where the lieutenant got the body count of 38 (pg. 47). He did not know of any investigation, nor was he ever questioned about the operation (pg. 48). He was not told not to discuss the operation (pg. 49). He did hear a rumor of ARVN soldiers torturing VC suspects on this operation (pg. 49).

5. OTHER INFORMATION.

Marijuana was not a problem in the company and the witness did not know if anyone ever used it on operations (pgs. 49, 50).

(The hearing reconvened at 1330 hours, 7 February 1970.)

COL WILSON: The hearing will come to order.

RCDR: The following persons are present: COL WILSON, LTC NOLL, and MAJ THOMAS.

The next witness is Mr. Marvin B. JONES.

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

Please state your full name, occupation, and residence?

A. Marvin B. JONES. My occupation is telephone line-man. My residence is 2250 Belmar Courts, Apartment 301, Detroit, Michigan.

COL WILSON: Mr. JONES, what was your assignment in B/4/3 on the 16th of March? Which platoon were you in on 16 March 1968?

A. 1st Platoon. I was a rifleman or an automatic rifleman. It varied every day when somebody would get wounded.

Q. I see you have a Purple Heart. Where was that awarded and for what operation?

A. I don't know what operation, but I know that it was in Pinkville that I got hit. I got hit April the 24th, 1968 in the Pinkville area.

Q. This was a little bit better than a month after the operation that we have in mind, that we were going to ask you questions on, which was in March and you were hit in April?

A. I got wounded on the 24th of April.

Q. What was the nature of that wound, Mr. JONES?

A. I got wounded in my leg and my thigh and abdomen.

Q. Landmine?

A. Right, landmine.

Q. Now, on your assignment in the 1st Platoon, do you remember which squad you were in on the 16th of March? Let me be sure that we are all thinking on the same basis as far as time is concerned. We're talking about an operation that took place between the 16th and the 19th of March, and we usually find it best to define that operation by the death of Lieutenant COCHRAN, which was the first day of that operation, and the death of MILUS, which was the last day of the operation. We are talking about the operation that took place in that period. Does this help to fix the time?

A. Yes.

Q. I was wondering which squad you were assigned to during that period?

A. I was in MILUS' squad, whatever squad he was in.

Q. He was a machinegunner.

A. Whatever squad he was in, that's the squad I was in.

Q. At that time, he was attached to the first squad?

A. I was in the squad with him.

Q. Do you recall during your training having been given any instruction on the legality or illegality of orders, legal versus illegal orders?

A. You mean what is right and what is wrong?

Q. Yes, but as far as orders are concerned, military orders?

A. No.

Q. You don't remember anything about this?

A. No.

Q. This is Exhibit M-2, and before I give you this, let me ask you, were you with the 11th Brigade in Hawaii?

A. Right.

Q. This is Exhibit M-2, entitled, "Nine Rules." It's a copy of a MACV wallet-sized card. Have you ever seen that?

A. I don't remember seeing it.

Q. This is Exhibit M-3, entitled, "The Enemy In Your Hands." Have you ever seen that one before?

A. No.

Q. You've never seen either one of these cards?

A. If I seen it, I don't remember.

Q. Now, I'm going to go back to fire base Uptight on the 15th of March, 1968. This was the day before the operation came off, and I want you to recall what you can about what you were told about this operation. I don't want to know what you did. I want to know what you were told back at that fire base the day before the operation.

A. That was the day before Lieutenant COCHRAN got killed?

Q. That's correct.

A. It seemed so--all we did was operate around this Pinkville, and you would go on a mission and they might not tell you until the next morning. I can't tell exactly unless you want to be more specific.

Q. Okay, I can be. Number one, do you remember if you were briefed by a squad leader or a platoon sergeant?

A. Maybe someone said something to me, but I have to know something more specific.

Q. Okay. What orders were given concerning the destruction of villages, the burning of hootches, and so forth for this operation coming up on the 16th?

A. Orders?

Q. Call them orders or briefings or instructions or whatever you want to?

A. It must have been search and clear or something. I mean, I need specifics. It wasn't nothing new. What I am saying is that it wasn't nothing that would stick out.

Q. Let me rephrase this. This is what I mean. I know you had normal operating procedures that you did from day to day on all operations. The questions that I am asking are questions that--we desire to know if there was anything different from normal operating procedures that were put out in this briefing?

A. Did I hear anything different? No, sir. No, I didn't.

Q. Nothing on the burning of structures, hootches, the destruction of food stocks?

A. No.

Q. Was there anything said about the destruction of animals?

A. No.

Q. What do you normally do when you go into these areas?

A. Normally, when we go into a village they would send a unit in to gather up all the people and bring all the people together. After they gathered all the people together, then they would send another unit in and search the hootches.

Q. What would happen after that?

A. Probably after they would search the hootches they would come on back and bring anything back that they found, get all the young men, older men, and things like, you know, who they think might be VC and bring them back with us.

Q. What about the food stocks?

- A. We have brought back bushels of rice and stuff like that.
- Q. How about animals?
- A. What did we do with animals?
- Q. Nothing?
- A. Nothing.
- Q. Then there was nothing unusual about any of those subjects that was given in this particular instruction for this operation?
- A. To me, I didn't hear anything out of the normal.
- Q. What did you think the enemy situation was down there? Did anybody say what it was?
- A. Well, me personally, I thought Pinkville was, disregarding the enemy, just the land, it was so booby-trapped, I just thought it was a bad area, period; because it was so booby-trapped.
- Q. Would you consider this the worst area that you operated in, B Company I mean, in its entirety?
- A. Right. I think we lost most of our men there.
- Q. Do you know what the other platoons of the company were supposed to do?
- A. No, it would be more or less, "You do this." One day they might say you are a blocking element, and you might sit there all day blocking and nobody would come, and at the end of the day they might say that so and so's company is supposed to push somebody in, but they never got here or something, so we just wasted the day and go on back to Uptight.
- Q. So, there was nothing specific about this day?
- A. No.

Q. What about the squads of the platoon? Were there any special instructions to each squad?

A. I was just a rifleman, and a rifleman is just a-- all there is, is my squad leader or my platoon sergeants, who are about the only ones. That's about as high as my chain of command really goes. I don't go any farther then. They would be the only one you'd see. You see the captain or the lieutenant or something but more or less a, "hello."

Q. Do you recall who your platoon leader was that day?

A. It had to be WILLINGHAM.

Q. And your platoon sergeant?

A. Sergeant WYATT.

Q. How about Sergeant RUSHIN?

A. Sergeant RUSHIN? I don't know.

Q. You think it was Sergeant WYATT?

A. Sergeant WYATT? He was dead, I guess. He got dead.

Q. Is there anything else that you can recall? Was it normal that they told you what lift you were going on the day before the operation?

A. No. They would tell you in the morning. I mean they might have told the squad leaders and stuff like that. I mean a rifleman, they wouldn't tell me.

Q. You say that you were in MILUS' squad. MILUS was a machinegunner, so you were in a machinegun squad?

A. No, I just meant the squad. Oh, that's right, the machinegun squad is considered a squad in itself.

Q. It's attached. It's not usually a squad by itself.

A. Right.

Q. You were in the squad that MILUS was in?

A. Right. I wasn't attached to the machinegun crew.

Q. Let's go to the day of the operation, the 16th of March. I think I will go ahead and give you a little run down on the concept and what happened and see if we can bring some of this back to you after 2 years. We will start walking through each day and see if we can figure out what information that you can give us. This is Pinkville outlined in the black over there (pointing to Exhibit P-168). That area is called Pinkville. Actually, it's an area between the two rivers. One is the Song Tra Kuc River on the south and the Diem Diem on the north. It is not part of the Task Force Barker's operational area. It belongs to the 2d ARVN Division. Whenever Task Force Barker went down there, they had to get special permission. Normally, Task Force Barker operated north of this area. You had been into Pinkville?

A. Yes. Right.

Q. When you went down there it wasn't in your area. It was out of your area. Now, the operation that took place on the 16th, C Company was picked up at Dottie. Let me show you this here.

(Witness was given orientation on aerial photo, Exhibit P-168.)

Do you know how long you stayed on the landing zone after you got there?

A. How long we stayed on the landing zone?

Q. Yes.

A. Probably no more than 3, 4, or 5 minutes. I mean when you hit it, you go on off.

Q. I'm not talking about setting up security. I am talking about moving off on a march?

A. Oh, right. Maybe 10 to 15 minutes.

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Q. Let's take a look at this timing. The second lift touched down at 0827 as far as we know. Lieutenant COCHRAN was killed at 0845. This is what the log shows. Where were you, or do you remember the explosion, or seeing or being near or anything about Lieutenant COCHRAN's death?

A. I heard the explosion, and I think it was behind me. I heard the explosion and it come back down that Lieutenant COCHRAN had stepped on a mine.

Q. Had you reached the trail? Had you all begun moving through a village when he got hit?

A. No.

Q. Were you still on the landing zone?

A. No. I think we were moving. The whole group was moving when he got hit.

Q. The whole company was moving?

A. I think. I just know about my platoon. I am pretty sure we was moving when he got hit.

Q. Where were you moving, do you know?

A. Where were we moving?

Q. Yes. You can see on this one here a little better. You can see that the landing zone was right in here (indicating photo Exhibit P-168).

LTC NOLL: This is Route 521.

A. This is the way I remember it. I remember we landed, we came in, and we walked down the opposite side of the bridge and doubled back across the bridge. I remember because we was always by the water.

COL WILSON: Do you remember hearing the explosion when Lieutenant COCHRAN got killed?

A. Right.

Q. You had not reached the bridge at that point?

A. No. I don't think so. Like I said, I know that it came back and the men said he got hit.

Q. You mean the platoon came back?

A. No. It's like you holler down the line that he was hit.

Q. You're talking about how you got the word?

A. Right. The word came back.

Q. You kept on moving, didn't you? You didn't stop because of that?

A. No.

Q. Do you remember getting down to the bridge?

A. Right.

Q. Do you recall receiving any fire.

A. No, I don't think so.

Q. Do you recall, when you were moving down toward the bridge, going through a village with a hedgerow on each side?

A. I remember what you are talking about. I think, I am pretty sure about what you are talking about. It was between Lieutenant COCHRAN and MILUS.

Q. What I am trying to do is fix the time and place if I can. Do you remember, when you got back over the bridge, do you remember a big gate over the entrance to Pinkville on that trail that had some writing on the top of it?

A. I don't know about writing, but I know what you are talking about because that is where TAYLOR got hit up there. It was right at the bridge, isn't it?

Q. No. This would have been on this side of the bridge? On the entrance to the village?

A. But it ain't no more than 25 feet from the bridge.

Q. I think it is, where I am talking about?

LTC NOLL: I think it would be more like right here (pointing to a portion of photo, Exhibit P-168)?

A. No. I'm thinking it was over there (indicating).

COL WILSON: As you approached the village, do you recall any problems coming over the bridge?

A. I don't think we had any trouble going over the bridge.

Q. Did you go over the bridge without receiving any fire?

A. I don't know. I just recognize when someone gets hit. I don't think we received any fire.

Q. Do you remember any mortar rounds coming in from the side of the bridge, the north side?

A. Over here (pointing)? No.

Q. What happened after you crossed the bridge?

A. After we crossed the bridge we separated. We went along here by this stream, and I know that I was not too far off the water. I was sitting on some steps like on flank security or something.

Q. When you crossed that bridge, did you head south into another village?

A. The village was right here by that bridge, wasn't it?

Q. No. That was the village on the side that you crossed. When you crossed that bridge you stayed over there.

A. What side is Pinkville? Is it this side or this side?

Q. This side, on the west side of the bridge.

A. I'm thinking that we came over here right by the side.

Q. That was on the west side of the bridge. That was over by the peninsula, over on the sea side?

A. This is the bridge and this is the village?

Q. Right. But there is no evidence whatsoever that the 1st Platoon went into Pinkville.

A. No evidence?

Q. No reports of any kind that the 1st Platoon went into Pinkville.

A. I remember that we crossed the bridge--

Q. (Interposing) That's right, but that's not Pinkville. You left Pinkville when you crossed the bridge?

A. I ain't too good at map reading. Maybe you should explain it to me better.

Q. That's what I was trying to do. Once you got on that side of the bridge, I think the best thing to do is forget about the reference to Pinkville, because that whole area which extends the distance about 5 by 7 miles is referred to as Pinkville. Just forget about the term Pinkville and think about the features here. Here is the bridge--

A. (Interposing) Oh, yes, yes. We came across here, and we set in here.

Q. In other words, you say that you set up security on the water side or the bridge side?

A. Right.

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Q. When you crossed over, did you head south? That would be in this direction (pointing)?

A. Right.

Q. And was there any resistance at all in there? Was there any firing?

A. Just like when we came in there and sat down and stopped on the outskirts of the village, and you could hear firing.

Q. Where was Lieutenant WILLINGHAM? Did you see him?

A. Well, after we set up there I don't remember seeing him there. I remember seeing him come across the bridge.

Q. Who set up there on flank security? You and who?

A. It was the squad here.

Q. Do you know who they were?

A. Do you have something with the names of the men in the squad, a roster or something.

Q. Yes. We don't know that this was the exact location. (RCDR read some names of B/4/3 personnel.)

How about TAYLOR, TITTLE and HOOTON?

A. No. They was the point group. They were a crew all by themselves.

Q. That's right, but they were in the first squad?

A. Right.

Q. Then you got WILLIAMS, MICHENER, JONES, REID, MILUS, and yourself?

A. It wasn't the point, and it wasn't the machinegun crew.

(JONES)

Q. NEAL, TAYLOR?

A. No, it wasn't the point crew. It wasn't the machinegun crew.

Q. Do you know who it was? We can eliminate TAYLOR, TITTLE, and HOOTON. We can eliminate MILUS.

A. Can you name some of the rest of them there?

Q. WARNER, STRINGER, and MADISON could have been machinegunners.

A. No, they were soul brothers. I would have remembered them.

Q. STEINBRECHER, I don't know whether he was--

A. (Interposing) I'm not saying he wasn't. I know that it wasn't the machinegun crew, and it wasn't the point because they don't set up like that.

Q. So you weren't with the machinegun crew and you were not with the point?

A. I was with the first squad leader.

Q. Sergeant LIAS was the first squad leader?

A. Right, Sergeant LIAS.

Q. Was he with you at that time?

A. He was the one that told us to go to that area. He wasn't right like sitting with me.

Q. Now, when you set up security on that flank, how far from the bridge were you?

A. It wasn't far. You might throw a rock and hit the bridge. From where I was sitting, I would come pretty close if I threw a rock.

Q. As we understand it, on the other side of that bridge there was a road or a trail that went a little distance

and then turned to the south, to the right, and went down in between some hootches in the village down there?

A. What side of the bridge are you talking about?

Q. On the sea side?

A. Right.

Q. Did the platoon receive any fire from that village?

A. I don't know.

Q. Was there any contact in that village?

A. In the morning?

Q. Yes; the morning of the first day.

A. No, I don't remember any contact.

Q. You don't remember any firing?

A. Not in the morning.

Q. Any explosions being used, bunkers being destroyed?

A. I don't know about that. You could hear noises, but I don't know if they was destroying bunkers.

Q. How long did you all stay in that position?

A. All day, I think.

Q. Right there where you set up.

(Witness makes no response.)

Did you move that evening or before dark?

A. Right. We moved somewhere, somewhere by the sea.

Q. Did you see the point group with a woman leading the point?

A. With a woman?

Q. Vietnamese.

A. No.

Q. Okay. You all moved up north and went into a laager position that night. That morning at 0825 somebody from the 1st Platoon--I'm sorry it was 0935--

A. You talking about the next morning?

Q. No, I'm talking about the same morning. I'm going over it again. At 0935 the 1st Platoon reported 12 VC killed south of that bridge, and at 1015 they reported 18 more VC killed right there where you were located, and at 1420 that afternoon there were 8 more reported killed. That's 38 VC killed right in the vicinity of where you were located. I don't understand it.

A. I don't either.

Q. There couldn't be all that firing going on and you not hear it?

A. I mean, it's just like people would be shooting their rifles and stuff. It's not like people be firing back. It's just like somebody might be shooting their rifle, or machinegunner, he might set off a burst of rounds and say he is reconning by fire, or I might sit up there and shoot across the river.

Q. That's firing, isn't it?

A. You say did we have contacts?

Q. I said did you hear firing also? Let me say it again, did you hear any firing?

A. No more than usual.

Q. And you didn't see any of these VC, 38 total?

A. No.

Q. At 1045 there was supposed to be a steel helmet, uniforms, and web equipment found in that same area?

Did you see any bodies over there at all?

A. Right.

Q. Where were they? In the village, up on a hill?

A. On the edge of the village I guess you would call it.

Q. How many?

A. I just seen a woman lying by one of those hootches that could go into the ground.

Q. A bunker?

A. Yes, a bunker.

Q. One woman?

A. Right.

Q. What time was that?

A. About lunch time.

Q. Did you get into that village to look around?

A. We walked around. They had my squad right around here.

Q. That's along the west side of the peninsula?

A. Right.

Q. This woman you saw, how was she killed? Do you know?

A. I gather by artillery.

Q. Where was the wound?

A. I don't know. I couldn't see. All I could see was blood.

LTC NOLL: When did they fire the artillery?

A. They fired before we landed.

Q. Where?

A. Into the village.

Q. How do you know?

A. You could hear it. We could hear it from Uptight before, I think, we even left.

Q. Did you see it land?

A. No.

Q. Did you consider that they might be prepping the landing zone?

A. Yes. I thought it was probably a hot area.

Q. What was the organization of your platoon in the march from the landing zone to the bridge? What I am asking is, who was in front, who was next, and who brought up the rear. I am asking you elements, the point group, first squad, second squad. How was it organized?

A. Well, it would be like the point and then it would probably be the lieutenant and his radio man and then a map reader from the artillery. They would probably be behind point, and then you have probably, a machinegun crew, first squad, second squad, third squad.

Q. What was your normal position in the squad when you were moving like that? Were you near the front or were you near the back?

A. About the middle.

Q. On this move, did you see Lieutenant WILLINGHAM?

A. While we moved?

Q. Yes.

A. Right.

Q. Were there any grenades hurled at your column while you were moving down that wood to the bridge?

A. Yes. They said somebody threw a grenade and everybody jumped down.

Q. Did it go off, or didn't it go off? How many did they throw?

A. I don't know. They just said the one.

Q. When you got to the bridge or got close to the bridge, did you pause for any amount of time, or did you go right across?

A. I don't know. I think we paused.

Q. How long?

A. Five or ten minutes.

Q. Did you know the observer for the mortar?

A. Did I know him?

Q. Yes.

A. I know him if I see him, but I didn't know his name.

Q. Did he go forward or pass you at any time?

A. I don't know.

Q. Do you know if they fired the 81 millimeter mortar before you crossed that bridge?

- A. I don't know.
- Q. How long do you think you paused, in time?
- A. About 10 minutes; say about 10 minutes.
- Q. Okay. So when you crossed that bridge, can you still see Lieutenant WILLINGHAM?
- A. Right.
- Q. Did he get shot at?
- A. I don't know.
- Q. Did anybody start across that bridge and have to come back, or was it a smooth operation?
- A. It was a pretty smooth operation.
- Q. Did anybody recon by fire while they were crossing?
- A. No, they probably did. That was procedure.
- Q. All right. What instructions did your squad get from Sergeant LIAS when you were crossing that bridge, any?
- A. I mean they don't tell me. They don't tell us. Just stay in squad form. You just follow the squad. He would just say the squad goes and so and so, you know.
- Q. I understand that. Okay, you crossed the bridge, and you say you moved into the northern part of the village?
- A. We crossed the bridge, and they put us by the river on sort of flank security.
- Q. On flank security?
- A. I guess that is what you call it.
- Q. All right. What was the distance between one end of the squad and the other end of the squad?

A. In the first squad?

Q. First squad? Your squad?

A. It wasn't--I don't even think the whole squad was there.

Q. I don't care about that.

A. Something like the last man I could see to the first man?

Q. Yes.

A. About 50, 60 meters, I guess.

Q. That was parallel to the river?

A. Right, right along the river.

Q. Which way were you looking, into the village or away from the village?

A. Looking away from the village.

Q. How long did you spend there?

A. An hour and one-half to two hours.

Q. All right. You spent an hour and a half there. What time was it then? You probably moved out around 8:30.

A. You mean probably moved out of the village by 8:30?

Q. No, you moved out from the landing zone by 8:30. What time do you think it was when you finished spending that hour and one-half at the location where you said your squad was?

A. About 11 o'clock or 11:30.

Q. Then what did you do?

A. Probably ate lunch.

Q. Okay. Right there?

A. Right there.

Q. So you didn't move? I thought you moved?

(Witness shakes head in the negative.)

Well, did you wander around that village?

A. Me?

Q. You.

A. No.

Q. Did you talk to anybody that did?

A. Yes.

Q. What did they say? What did they tell you they saw?

A. There was nothing unusual, nothing that I would try to remember. I can't remember nothing exceptional that they would say that I wouldn't know.

Q. Well, somebody reported a total of 38 VC killed there. Did they mention that?

A. Well, just like you are here, just like they are here and they would say somebody killed 200 VC, somebody killed 400, you know.

Q. I believe if I was that close I'd go look.

A. Not if you might step on a booby trap.

Q. What route did the point group take? Did they walk the main trail of the village?

A. I would guess. I mean I don't know.

COL WILSON: We've had people in the 1st Platoon say they have

seen as high as 5 to 20 bodies in that village, all of them women and children, no men. It seems unusual that anybody could go through that village, and that many bodies lying around couldn't be seen. As I understand, there is only one trail going through there, and I don't imagine that anybody is any different from you. They aren't going to get off that trail unless they have to.

Where was MILUS when you were crossing the bridge with reference to your squad? Was he in the rear, or was he in the front?

A. He was in front of me.

Q. Where did he set up his machinegun? Was it on the east or the west bank of the river?

A. I don't know.

Q. Did you see him go into action for recon by fire?

A. Right.

Q. Was he on the sea side of the river, or was he on the land side of the river?

A. I'll put it like this: I was right down here, and they said the first squad would go in here and the rest would go in, and I imagine the point squad would go through the village, so I imagine he would be close to the sea.

Q. But you saw him set his machinegun up?

A. I saw him go by, and I heard the machinegun go off.

Q. You know which direction he was firing?

A. Well, it wasn't coming toward me.

LTC NOLL: What did you do after dinner at that position? Let me ask you another question, too. We've had testimony that a helicopter came in and landed there. Do you recall that?

A. I think that was way later in the day, I think.

Q. Where did the helicopter land when it did come in?
In the village?

A. I'm talking about the one that came and picked up
TAYLOR when he got hit.

Q. That was the next day.

A. What?

Q. That was the next day, so we are talking about a
different helicopter. I am talking about a helicopter that
should have been a resupply helicopter.

A. I'm talking about the one that came in and got
TAYLOR when he got hit. I don't remember no resupply.

COL WILSON: This chopper was supposed to have brought in some
more demolitions. Apparently the point group ran out of explo-
sives, and it probably brought in some water. Did you get out
on that sand dune that rose up before you hit the beach?

A. What place?

Q. Sort of a hill as you cross the bridge, you take
that road south, between the beach and your position there was
a hill, sort of a sand hill. If you would have walked straight
over the bridge you would have walked right into it. Do you
remember that?

A. I don't know.

Q. When you got over the bridge, could you see the
beach?

A. No, no. When you say sand hill, are you talking
a big hill?

Q. No, not a big hill, just a rise.

A. Well, I mean I remember something about a bridge,
but I couldn't see the ocean.

Q. Did you see any activity out in the direction of
the ocean, or any people moving around?

- A. No.
- Q. Did you see any people in that village when you moved over the bridge?
- A. Right.
- Q. How many would you estimate that you saw?
- A. I don't know. Like you see somebody dart here and dart there. There wasn't very many.
- Q. Did you see them after the firing started or before it started?
- A. I seen them when we left the village.
- Q. When did you leave the village?
- A. I guess we must have stayed there all day. I guess it must have been about 4:00 or so.
- Q. Where were they when you left the village?
- A. They was all sitting together and I remember a little boy had his shoulder from here all the way up to here gone, and it wasn't even bleeding.
- Q. Was this a fresh wound or an old wound?
- A. I'd say he got it that morning, and he was still dripping blood. It wasn't even dry.
- Q. What about the rest of the people? How many of them were there?
- A. Oh, a small group. It wasn't very many.
- Q. Were they under guard?
- A. No, I don't think so.
- Q. They weren't being detained?

What happened that night, anything up there at the laager area when you moved out of the village and went north?

A. You're talking about when we--

Q. (Interposing) Left the village and went north and set up the night defensive position?

A. I think we caught fire that night. I ain't sure, but I think we caught fire.

Q. All right. Let me ask you, about 1600, do you remember some Navy boats coming in with about 10 sampans with a bunch of Vietnamese on them and turning them over to Lieutenant WILLINGHAM?

A. No.

Q. Do you remember a Vietnamese interpreter coming in there? Coming in there by helicopter the same day?

A. A Vietnamese interpreter by helicopter?

Q. Yes. We are still on the 16th of March. You crossed the bridge, went down into the village, pulled down out of the village, and went up north to a night defensive position. Late that afternoon, some Vietnamese were turned over to the 1st Platoon by the Navy?

A. No, I don't remember that.

LTC NOLL: Mr. JONES, you mentioned a couple of times that you saw people before you were on the other side and they were darting around. Evidently, there was some purpose to their darting around. What were they trying to do? Could you tell?

A. No, it was like they was getting in their hootches, I guess, and they were picking up there belongings or something. I don't know. But they weren't sitting still.

Q. Did they appear to be getting into bunkers?

A. Right. They were going into the ground and getting into their hootches.

Q. So I wouldn't think that this darting around would last particularly long. It doesn't take very long for you to get into a bunker does it, when a mortar attack comes, your company?

A. Right.

Q. How long could you see these people darting around?

A. Well, if I would have looked, I don't know if I could have seen them all the way, but I mean--

Q. (Interposing) I mean timewise? Did they seem to clear out of the area?

A. No, just like if I looked there, I probably could have followed them wherever they went and went and got them, you know, if I would have looked at them. You know, just like you look and you just don't know. You don't pay any attention. There weren't nobody shooting, so there wasn't nothing to pay no attention about.

Q. Did people start shooting then?

A. Who, you mean us?

Q. Yes, us, the people in B Company, 1st Platoon.

A. No.

Q. When did they start shooting? Did the point group do all the shooting?

A. What shooting are you talking about now?

Q. Well, a number of people said they heard the shooting and a number of people said they heard demolitions (inaudible).

A. (Inaudible) out of the ordinary.

Q. The way I interpret what you tell me is that intermittent fire is not out of the ordinary?

A. It isn't. You recon by fire, you've got to shoot 20 rounds of bullets; just recon the area by fire. It's when the fire starts coming back is when you've got to start paying attention to it. It wasn't going on. It didn't stick in my mind.

Q. Let's discuss this recon by fire. You go into a village normally inhabited by what? Women?

A. Right.

Q. Children?

A. Right.

Q. You go into a village and you had not received fire. They had not fired upon you. Do you fire into the hootches, recon by fire? Do you do that?

A. No. I'm not saying you recon by fire into the village. What I am saying is that you might recon the area. They're not saying they're going to go in the village, and they shoot into the village to recon that. You can see that. Well, like the area behind it or something, they might recon that by fire. It happens very often whereas you wouldn't think nothing about it unless something came back. Just like if you open up fire and shot into the water sometimes, it wasn't to the extent where I would drop down on the ground and watch it or something unless it was out of the ordinary.

Q. A number of people say that they heard firing that morning. What were they hearing? Recon by fire?

A. Are you talking about the people in my platoon?

Q. I am talking about the people in your platoon. I am talking about the 1st Platoon.

A. You say that they heard firing?

Q. That's right.

A. I heard firing, too.

Q. I'm just trying to establish the circumstances and the time frame that you heard the firing.

A. I mean you will have to be more specific, because when I start to think back, I might put something of the next day into this day.

Q. I know it's pretty hard to think back.

A. Again, put a little bit more on one day or another day. That's what I say, at that time there wasn't nothing--

Q. (Interposing) It's pretty hard to think back.

A. No, I remember what they're talking about. I remember that, but you'll have to be specific before I could, you know.

Q. It's pretty hard to think back.

A. To define it good, but I remember what you are talking about.

Q. Well, 38 people were reported killed there by the 1st Platoon, and I should think that if the platoon succeeded in getting the 38 body count that some things should stand out.

A. I don't know. There is nothing that sticks in my mind.

COL WILSON: You don't recall the Navy turning these people over to you?

A. No.

Q. We don't have a record of it unless you know of something that happened that night.

A. No, I don't know of nothing.

Q. Taylor was supposed to use a woman on a rope to precede the point moving out to the night defensive position. He was supposed to have a woman on a rope coming back the next morning, back to the bridge. You didn't see her?

A. I don't remember seeing no woman. What I am saying, if I seen a couple of people like that, it wouldn't stick me as I would remember it.

Q. You came back to the bridge the next morning, and I think that we established that you don't remember any Vietnamese or Americans coming into your night defensive position by helicopter?

A. That night?

Q. Right. The first night?

A. I know we were going to get hot chow. A helicopter was going to come in and bring it in. I don't remember that.

Q. Okay. When you came back on the next day to the bridge, what happened on the situation with TAYLOR? Were you up there near him?

A. Right.

Q. Did he find that mine first and probe for it or did he just run over it?

A. We were walking and we stopped, and then TAYLOR was just probing, just over there looking by himself or something, and he stepped on a booby trap.

Q. We've been told different stories on this. One is that he found a mine, and he was trying to disarm it. The second story was that he was probing for a mine--

A. (Interposing) I'll put it like this: he was--you seen him when he was over there by the bridge, and there wasn't nobody else over there. I don't know what he was doing over there, but he was more or less one of those rare guys. I've seen him step on a booby trap and the mechanism went "click," and it didn't go off, and he got where I thought there was demolition there or something. Everybody else would be sitting down and he would be out there doing something.

Q. As we understand, it was his foot that was shot off? Well, it was his foot that was shot off, as we understand it. That's what the records show. Is that right?

A. Shot off?

Q. His foot was blown off?

A. I'll put it like this. We was walking on the trail. We stopped. You got the platoon here and we stopped and sat down and talked and all of a sudden "boom." And TAYLOR was wounded. A helicopter come in and we got him out. I was about 40 meters from where he got hit.

Q. Where was the rest of the company then? Did you see any of them?

A. I don't know. I think we was going to meet them or something.

Q. I understand that TAYLOR's weapon was all blown up.

A. I don't know nothing about that. That's all I know about TAYLOR is the booby trap. He got hit by a booby trap. Three or four guys put him in a poncho and carried him to a helicopter.

Q. Was the helicopter marked with a red cross? Was it a dustoff?

A. I don't know.

Q. Did you receive any fire after that? If you carried him over there in a poncho I guess you weren't under fire at that time?

A. No.

Q. Did you move him right away when he was wounded?

A. Well, we waited, as soon as the helicopter got there.

Q. As soon as the helicopter got there you moved him?

A. Right.

Q. Was there any--

A. (Interposing) They had gunships in there too, I think.

Q. That's what I want to know. Did the gunships come in before the dustoff or after?

A. They come before. The gunships came before. No, the gunships came after TAYLOR got hit.

Q. Before the dustoff or after the dustoff?

A. After, I would think because I know when I was carrying him I was scared of stepping on a booby trap. I wasn't scared of nobody shooting me. I don't think there was nobody firing or nothing.

Q. Nobody was firing when you picked him up. Do you know if anybody was firing before the gunships came in?

A. I know the gunships came in shooting up the rockets and stuff and I don't remember no firing. The only firing I remember is the gunships firing.

Q. At the time that TAYLOR hit the mine this didn't trigger any sniper fire?

A. Just like you hear it, firing and you might hear firing and not know exactly where it is coming from. You might hear firing and somebody might shoot overhead, you know. The gunships was firing into the village, you know. We started firing into the village, and for me to actually hear directly the shooting, I don't remember.

Q. You really don't know whether you got any enemy fire after TAYLOR was wounded or not?

A. I'll put it like this. I could hear it, but the way people were spread out I couldn't designate where it was coming from.

Q. How far were you from the bridge?

A. When TAYLOR got hit?

Q. Yes.

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A. About 50 to 60 meters. No, about 50 to 60 feet. A meter is what, about 3 feet? About 50 to 60 feet.

Q. Do you know that it was intended that the 1st Platoon to come back to that bridge the next morning?

A. Do I know if it was intended?

Q. Yes. Do you know if the 1st Platoon intended to come back to the bridge the next morning when you left it the day before?

A. No. Like that morning they might tell you where you are going.

Q. Do you know if that booby trap or mine that TAYLOR had hit was put there on the 16th or was it put there before?

A. I don't know.

Q. This location where he was hit, had any of the troops been milling around there the day before?

A. The day that we came there?

Q. Yes. The first time that you crossed the bridge the day before, you left that area the people were down there by that bridge? What I am trying to find out is if that booby trap or mine was there that day or had been put in the night when you all left the bridge?

A. I don't know how you can find that out.

Q. I don't know either unless I can find out if people were walking around in that spot.

A. Something like that could be there, you know. That's just like looking at the ground to see if anybody has fooled with it.

Q. People have said that the mines were put in there the night when the 1st Platoon had went through the bridge.

A. I don't know how those people would know. After

the ground was blowed up and the booby trap was exploded, how can you tell if it was put there before. I don't know.

Q. Somebody is just making an assumption then?

A. To me I don't know how you can blow up a mine and tell if it has been there before or not.

Q. Look, if you walk over a bridge one morning and you come back to that same location the next morning and walk over it and you blow up, something had to be done with it?

A. TAYLOR wasn't on the trail when he got wounded.

Q. He wasn't on the bridge?

A. No, he wasn't on the bridge. He was off to the side. He wasn't on a direct trail. Just like you walk down a trail all day long and you step off to the side. He wasn't on the trail.

Q. How far was he from the bridge when he was wounded?

A. Maybe 3 or 4 feet.

LTC NOLL: I understand when TAYLOR set off a mine, four of you went down and put him in a poncho to carry him back up. No sniper fire or anything while you were there?

A. When we carried him to the helicopter--I remember carrying him cause I was scared I would step on a mine or a booby trap while I was carrying him.

Q. Did you note any tissue paper near the bridge marking any mines?

A. No. I mean I didn't pay any attention to nothing like that. I mean, you don't fool off the trail. You stay on the trail and if--TAYLOR was off the trail and he got hit.

Q. How much time elapsed before the gunships arrived?

A. Not long. Maybe 10 minutes or 15 minutes. They

came in behind us like they was shooting at specific targets the way they was shooting.

Q. The village was their target was it not?

A. Right. The village was their target, right.

Q. When they finished I understand the company moved south?

A. Right.

Q. When you did that, did you move down the main trail of this village again the way you had been moving?

A. Right.

Q. Did you see anything in the village?

A. Not the hootches.

Q. Did you all burn those hootches or just blow them up?

A. We didn't do nothing to them.

Q. How about the bunkers? You blew the bunkers, didn't they?

A. I mean my squad--

Q. I'm not talking about your squad.

A. From where I was I couldn't tell from down there. When I walked down the main trail that was the next day when I seen it and that was thirty something hours.

Q. Your squad didn't suffer any damage that day? Do you recall what the company organization was, going south? In other words, what your platoon did and the 2d and 3d Platoon did?

A. No, they don't tell us nothing like that. Like I said, it was just the squad leader and the sergeant.

Q. Did they tell you that you had friendlies on your left and your right so that you don't shoot them?

A. No, they didn't tell me that.

Q. Did they tell you about anybody being on your left? Sergeant LIAS didn't tell you about this did he?

A. He probably told me. At the time we probably had a good idea of what we were doing, but now--

Q. Do you recall burning up villages as you went south?

A. No.

COL WILSON: Do you recall that day when you were back up there before you started moving south, whether Lieutenant MUNDY, Lieutenant LEWIS came in in a helicopter?

A. He was a captain, wasn't he?

Q. Who?

A. MUNDY?

Q. He was the company exec?

A. Was he promoted to captain?

Q. He may have later. I don't know. Lieutenant LEWIS came in that day?

A. The whole company together? Is that what you are talking about?

Q. That's right. When TAYLOR was wounded and the company closed over and came across the bridge and you all were in that area for awhile and two platoons moved south and the, the--as a matter of fact while you were up there by that bridge if you remember Lieutenant LEWIS or Lieutenant MUNDY or anybody else came in by helicopter?

A. I don't know. I mean, I know of two or three helicopters coming in that day. I don't know who was on them. A

helicopter would come in and people was getting in and leaving and stuff like that.

Q. I'm trying to locate a photographer that may have come in with him.

A. If he did, I don't know.

Q. Did you ever see either one of those two men in uniform? (Pointing to Exhibit P-21).

A. I don't remember. Who is this here?

Q. P-22? Do you know him?

A. Not offhand.

Q. P-42?

A. Yes, I remember the pair. Both of them was interpreters?

Q. One was Vietnamese and one was--

A. Both of them was interpreters. I remember them.

Q. Do you remember seeing them during this operation?

A. I've seen them. I can't say if I had seen them on this operation.

Q. I just wondered if you did?

A. I remember the pair, the Vietnamese interpreter and the other one.

Q. Did you ever remember seeing either of these two Vietnamese interpreters? This is P-66.

A. Did I ever see what?

Q. Either one of these two interpreters?

A. A colored guy?

Q. He's Vietnamese.

A. No.

Q. You don't remember seeing him?

A. No.

Q. (Handing the witness P-215.) Do you remember this?

A. Right.

Q. Where was it?

A. Down here somewhere (pointing).

Q. On the tip?

A. Yes.

Q. Do you know whether that village was burned or not?

A. If I am correct they sent about two or three helicopters, with doctors on them, and gave them shots or something.

Q. The 1st Platoon and the 2d Platoon moved back up toward the bridge that night and laagered. The mortar platoon, which had stayed up by the bridge with the 3d Platoon all day, which is probably pretty good because those guys didn't have to carry all that equipment and walk all that distance, displaced forward and linked up with the company, leaving the 3d Platoon up there by that bridge. The company stayed down halfway from the bridge and the southern tip of the peninsula that night.

A. The whole company?

Q. No. All except the 3d Platoon. The 3d Platoon stayed up on the bridge.

A. That's the night that MILUS got killed? Back up again, I'm lost.

Q. Well, you remember now, you came over the bridge the first day and you stayed in that area and then you went up north and laagered?

A. Right.

Q. Then you came back to the bridge the next day, the 17th, and TAYLOR was wounded and then you moved to the south all the way down near the peninsula and came halfway back up and set up your laager position. That's the night of the 17th?

A. How many nights did we stay there?

Q. Three.

A. This is the second night?

Q. This is the second night. After you walked all the way down that peninsula and you were all hot and you were on the beach and the weather was hot and you were walking in the sand. Do you remember now?

A. Right.

Q. Okay. There was nothing as far as we know that happened that night unless it's something that you can recall?

A. That's the night before--

Q. (Interposing) That's the night before MILUS was killed? There could have been some helicopters and some people that came in there to visit? There could have been some ARVN in there.

A. The captain had some ARVN with him.

Q. There is also some testimony that indicates that some ARVN, six or eight ARVN soldiers moved down the peninsula with the company that day and this woman that TAYLOR had, that he had used on the point group was turned over to the ARVN.

A. Are you asking me anything or what?

Q. I'm just trying to fix your thinking. You've got it pretty well. I will ask you something while we are talking about that woman. That's a photograph of the woman that was supposedly cooking for the ARVN and, at least the testimony indicates that she may have been the one that was with TAYLOR. It's not a very good photograph, but that's allegedly what it is. Did you ever see her (handing the witness Exhibit P-210)?

A. I don't know.

Q. Now, when you moved back up after you laagered that night and moved back up the next morning at 0735, I think it was, they reported finding a cache of 3,000 pounds of rice, that was reported.

A. The company or the platoon?

Q. The 3d Platoon which was up there on the bridge. Now, the 3d Platoon--you were moving back up there to the bridge. Also, they were supposed to have found a woman with a big wound in her neck up there on that hill that I described to you earlier on that beach and she was probably found the day before, but she was buried that morning. I don't know that the company stopped there for any period of time but--in the 1st Platoon area. They may have marched right by the bridge and kept going and the 3d Platoon fell in on the end. They went on up the peninsula in that village that is shown here on the map. That's Ky Xuyen (1) and An Kay and possibly An Binh, this whole area here (Exhibit MAP-4) back and forth and this area was supposed to have been strafed and the villagers rounded up and sent back to a MEDCAP with some medics and set up on the beach. Now, do you recall any ARVN or Vietnamese or National Police being there at that time.

A. I couldn't say. I don't remember. I don't remember actually seeing no ARVN's there.

Q. Okay. There were a number of people brought in and a lot of them were treated for any problems they had, medical problems. There was a case of a couple of VC suspects picked up and I think a number of people were interrogated and from what we understand probably by ARVN or National Police. Most of that day was confined to sweeping that village and

rounding up the civilians and sending them back to this medical team. Do you recall that?

A. I'm thinking. I know that we picked up a whole lot of people and they brought them in in helicopters. I thought it was down here somewhere.

Q. No. Back up on the other end.

A. What it was, we came down here and all the people were pushed and maybe after that somebody took them on down farther. They say they was treating them and stuff and giving them shots.

Q. Do you remember going into the laager that night?

A. Laager?

Q. Laager. The night defensive position.

A. When I think about that laager, I think about the night that MILUS got hit.

Q. This is the night.

A. That's what I'm thinking.

Q. All right. This is the night. You were down pretty close to the beach and also pretty close to a village and you went into a night defensive position and there had been an awful lot of Vietnamese floating around there that day.

A. Right.

Q. You set up a night defensive position and the first mortar rounds came in about 0140 in the morning and killed MILUS and wounded five men.

A. Right.

Q. Another was wounded and he went to the hospital and died of wounds. Do you recall the time that you got that mortar fire, if you got any small arms fire?

A. Right.

Q. You did? You remember this clearly?

A. Right.

Q. Was it coming from the same direction the mortar was firing or was it from a different location?

A. I was facing--I don't know actually about the mortar. I don't know which way the mortar was coming from. I know the way I was facing the fire was coming from the village. It was rifle fire, but I don't know where the mortar was. I'm thinking we was down in this area here. The rifle fire was coming from the village.

Q. Coming from your front?

A. Right.

Q. Coming from the platoon front?

A. Right. My platoon's front.

Q. The 1st platoon was on the east and I think the 3d Platoon was on the west and the 2d Platoon was facing the north generally in those directions so the fire came from--

A. Sort of like a "C" shape.

Q. Do you recall before this mortar round came in or earlier that night or that evening if there was any artillery marker rounds fired?

A. They were firing the artillery marker rounds before we went to bed.

Q. That's right, earlier. How about mortar rounds?

A. I don't know about mortar rounds.

Q. Did you hear any--did you see or hear of a Vietnamese woman come there with her leg all ripped open?

A. A live artillery shell went off--or something. It went off and killed a lot of people, but I didn't hear anything.

Q. Killed a lot of people?

A. Yes.

Q. That night, do you remember the 81 firing counter-mortar fire?

A. Yes. I remember we were getting a whole lot of support that night.

Q. You had air support and everything else?

A. Whole lot of support.

Q. Okay. You had "Spooky" most of the night and MILUS wasn't evacuated until the next day. There was a mortar round that came in about 0440 that morning, one round. Do you remember that? This would have been around 3 hours after that mortar attack. It was reported that another round came in later.

A. Almost at dawn?

Q. Just about. Right before. It could have been at first light.

A. I don't know when it was, but MILUS was like over here and his assistant gunner and someone had got wounded that night or something and I was supposed to be like the assistant ammo bearer that night because there was just two of us--a rifleman, assistant gunner and gunner. One foxhole, two foxholes and three foxholes. I remember that night there was something about--I guess it was a mortar that went about 15 or 20 feet in front of the foxhole. That was about 5 or 6 in the morning.

Q. One round? This was probably that round.

A. That scared the devil out of me.

Q. The "Spooky" was supposed to still be on station as far as we know. I am surprised that the mortar would fire.

A. I don't know. That airplane was there for a long time.

Q. For the record, the 1st Platoon went back to Uptight and the rest of the company went back to Dottie. The 1st Platoon was the first extraction and the first pickup was at 1050 and went to Uptight and the rest of the company moved into Dottie and the first lift went into Dottie at 1319 on the 19th.

LTC NOLL: Do you recall if there were any detainees kept in that position that night?

A. What?

Q. Detainees. In other words, you had a MEDCAP that day and did they let all those people go or keep some of them over night?

A. Just like after I didn't even see no people. Later on in the day I didn't even see no people.

Q. Did you see any Vietnamese suspects in your position at, say supper time?

A. No. As I say, I might be confused. It was a big camp.

Q. Did your platoon try to find that position that the mortar fired from that morning?

A. Yes.

Q. Did you take some Vietnamese with you?

A. I don't think so.

Q. You didn't see Sergeant LIAS hit one of them with his rifle?

A. No.

COL WILSON: Here is Exhibit P-215. Did you ever see that man?

A. I don't know. Nine times out of ten I probably have--I don't think so.

Q. We've got a couple of allegations I want to ask you about and be sure that you haven't any knowledge of it.

We understand that MILUS was making statements that he had cut a woman in half with his machinegun. This was the first day going into that village. I understand that either HOOTON or TAYLOR shot a baby in the head, allegedly being carried by its mother.

A. MILUS is dead and if I thought something like that I wouldn't hold it back because it wouldn't hurt him cause he is dead anyway, but I didn't see nothing about that.

Q. Did you ever hear MILUS talking about it?

A. No.

Q. The statements that we got were allegedly in the form of bragging about marksmanship and stating that this was done at 150 yards.

A. If he did, he never bragged it to me.

Q. This is what I want to know. He never said anything to you about it?

A. No. He never said anything to me about it.

Q. Did you ever hear him say anything to anybody about it?

A. No.

Q. Did you ever hear him saying anything about getting a lot of kills in that village?

A. No.

Q. What do you think or as far as you know, and you have been around that unit a long time--you were wounded right

up here in this area and you know what the area is about and you know that these reports are made. Why do you think there was 38 VC KIA reported that day or that morning or by 1400 that afternoon from the 1st Platoon in that village?

A. All I know is ever since we got in Task Force Barker people were giving away--like somebody said they shot one person or something, somebody hear that and they say that they killed 10 or 15, you know. It's like somebody was getting credit for saying they killed more. It was like Task Force Barker people was exaggerated.

Q. As far as I can determine--I don't know and I can't put my finger exactly on the procedure, but as far as I know this report had to come from the platoon leader?

A. Well, the platoon leader didn't tell me about it.

Q. He got his word from somebody and who do you think he gets it from? Does he take it from the squad leader or what?

A. Something like that he wouldn't ask me anything.

Q. I'm not saying that you rendered the report. I'm trying to find out where they could have gotten 38 killed?

A. He probably got it out of his imagination. They didn't say nothing to me about it.

Q. The other one is between five and twenty bodies, all women and children in that village? You say that you saw one?

A. I seen a woman lying outside of a hole. It was like she was trying to get to it. They say artillery shell got to her first, so that's all I see. Just like you say, wandering around a village. There wasn't that much to see.

Q. There's one other thing that we understand occurred from testimony allegedly. That village was searched pretty thoroughly. In other words, all those hootches was searched and allegedly that village was searched in teams from the 1st Platoon, the hootches was searched. Did you do any searching in that village?

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A. No. I don't think I did anything.

Q. Did you look in any hootches in that village?

A. Yes, I did in more or less walking by.

Q. Not going in them to see what was in them?

A. If it wasn't searched right and I see something in there I'd go in and get it.

Q. Do you have any knowledge of an investigation or inquiry being made after this operation was over?

A. No.

Q. Did you ever hear an order that day--during the operation which would probably have been on the second day-- It could have been some other time, to stop burning hootches, that was passed down as an information type of thing?

A. No.

Q. Were you or anyone you know ever questioned on this operation?

A. No.

Q. Did you have a camera?

A. No.

Q. Did you ever hear any rumors that civilians had been killed unnecessarily by B/4/3 or C/1/20 on this operation?

A. Not till I got home.

Q. You mean when this hit the paper?

A. Right.

Q. There wasn't any scuttlebutt around the fire bases about it?

A. I didn't hear--again, it wasn't long after that when I got hit too.

Q. And you were evacuated back to the States when you were hit?

A. Right. I went to Japan.

Q. You didn't go back to your unit?

A. No.

Q. So you left the unit about a month after the--you didn't see them again? Up until that time there had not been any talking about this operation or killing people and all that?

A. No. It was just there and you got the fear and you hope you don't go back no more.

Q. Were you ever told not to discuss the possible unnecessary killings or anything about this operation?

A. No.

Q. Do you know or have any knowledge of U.S. or ARVN soldiers torturing VC suspects or PW's on this operation?

A. I heard of an interrogation, but it's just a rumor and you just don't know. You can't take stuff like that.

Q. Was that on this operation?

A. No. I don't know exactly where we was at, but I remember it was just something that I heard and I didn't see it or nothing, but I heard it. I didn't see nothing.

Q. Where is HOOTON? Do you know?

A. No.

Q. Was marijuana a problem with B Company?

A. Not that I know of.

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Q. Anybody ever use it on operations?

A. I don't know. It wasn't that hard to get I don't think.

Q. Do you have any further statement or any further testimony that might help General PEERS in this investigation?

A. No.

COL WILSON: Thank you very much.

RCDR: Did you remind him of the final statement?

COL WILSON: Just a minute.

JONES, I request that you not discuss your testimony in this investigation with others, including other witnesses for this investigation, except as you may be required to do so before a judicial or legislative body.

(The hearing recessed at 1500 hours, 7 February 1970.)

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SUMMARY OF TESTIMONY

WITNESS: LINKOUS, Rodney V. SP4

DATE OF TESTIMONY: 16 February 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: Squad Leader, Second Squad, First Platoon, B/4/3.

1. PRIOR TRAINING IN THE RULES OF LAND WARFARE.

LINKOUS recalled receiving training on legal versus illegal orders while in Hawaii (pg. 2). As he understood it, if an order would endanger the unit he did not have to obey it (pg. 2). He was issued the MACV cards "Nine Rules" and "The Enemy in Your Hands" (pg. 3).

2. PREOPERATIONAL PLANS AND BRIEFINGS.

The witness understood the mission to be a search and clear operation in which they would check for rice, check ID cards, and detain any suspects (pgs. 3, 4). The briefing was given to the platoon by Lieutenant WILLINGHAM (pg. 4). The village they were to search was on the coast about six miles due east of LZ Dottie (pg. 6). He could not remember anything being said about destroying villages, but it was normal procedure for the unit to destroy a village if it was deemed necessary to do so to clear it (pg. 7). Excessive food supplies were normally burned if they were too large to evacuate (pg. 7). The normal procedure was to leave the villagers alone if they caused no trouble (pg. 8). No special instructions relative to destruction of the village, destruction of the food supplies, or handling of the inhabitants were given (pg. 8). The company knew this operation was dangerous because there were quite a few VC in the area (pg. 8). They were not told the size of the NVA unit in the area (pg. 9).

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3. THE COMBAT ASSAULT.

a. Actions on 16 March.(1) At the village.

They received no fire prior to landing, but the doorgunners were reconning by fire as they went in (pgs. 10, 11). The witness arrived on the first lift (pg. 11). The first platoon secured the LZ until the rest of the company arrived at which time they moved out (pg. 12). The platoon went across two or three fields, through a fence, and then onto Highway 521 (pg. 13). They hit the road 50 yards east of a large gate (pg. 13). The platoon was preceded by the point team which was composed of HOOTON, TAYLOR and TITTLE (pg. 15). About 200 or 300 yards from the bridge they heard one loud explosion (pgs. 16, 17). It was followed later by a second explosion which the witness heard faintly when they were 25 yards from the bridge (pgs. 16-18). As they moved they passed buildings that looked like they had been hit by artillery (pg. 17). They received no fire (pgs. 16-18). The witness was in the front of the main body of the platoon (pg. 17). After the second explosion they set up a defensive position and a conference was held to decide which squad should cross the bridge first (pg. 18). The point team moved across the river and was followed by the second squad which set up a defensive perimeter around the bridge facing east (pgs. 21, 23). He did not recall a machinegun firing (pgs. 21, 22). The trail in front of them went 50 or 60 yards and then curved to the right into heavy brush behind which was the village (pgs. 23, 24). There were approximately 40 to 50 hootches in the village (pg. 24). The witness' squad stayed at the bridge while the first squad and the point moved around the curve. After they moved out of sight LINKOUS heard firing over his head (pg. 25). During this time his squad was asked to send its grenades forward (pg. 44). He assumed this was for use on the bunkers (pg. 44). The fire was intense at first and then scattered (pg. 46). The firing continued until his squad moved up to the village an hour and a half later (pgs. 25-27). There was no resistance from the village (pg. 26). When he came into the village he saw two or three bodies lying face down along the ridge (pgs. 27, 46). The bunkers had been demolished and a few

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of the hootches were burning (pg. 28). He did not see any bodies in the village, but he never reached the village center (pgs. 28, 29). He saw one pound blocks of TNT thrown into the bunkers. He did not know if anyone was in the bunkers or if any search was made to find out (pgs. 30, 32). Most of the bunkers were caved in (pg. 31). He heard short bursts of machinegun fire, but he did not know the weapon's location (pg. 32). He did not know that a security element had been sent down to the beach (pg. 46).

(2) The body count.

LINKOUS was later told that the platoon minus his squad had received fire when it moved into the village (pg. 35). He heard an estimate later on that 150-175 people had been killed, but he thought this was a high estimate (pg. 36). He did not remember hearing a body count report of 12 at 0955 or 30 at 1025 (pgs. 36, 37). He did not see that many bodies (pgs. 37, 42). He did not know where the eight bodies reported at 1420 were killed (pg. 38). He never heard that a child was shot in the head or that MILUS nearly cut a woman in half (pg. 44). He did not hear that people were shot as they came out of tunnels (pg. 74).

(3) Movements out of the village.

LINKOUS did not see any Vietnamese assembled in the village prior to the time they left it at approximately 1200 (pgs. 36, 37). They moved north out of the village along the path to the bridge and checked out likely laager areas (pg. 34). While they reconned by fire, no living quarters received fire (pg. 34). Sampans were brought to the beach by swift boats and a helicopter was brought in to take out VC suspects (pg. 39). Some Vietnamese interpreters came to the beach to talk to those in the sampans and they left with the helicopter (pg. 40). He did not see the interpreters mistreat anyone (pg. 40). TAYLOR had a woman with him whom he had brought from the village (pg. 41). Her hands were tied behind her back and she was secured by a rope (pg. 41).

b. Actions on the 17th.

On the morning of the 17th TAYLOR lost his foot when a mine which he was examining exploded (pg. 49). The witness

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did not recall receiving any sniper fire after TAYLOR was wounded (pg. 50). While he recalled gunships coming in, he thought that they made their gunruns before TAYLOR was wounded (pgs. 50, 51). The gunships made two passes (pg. 52). The witness believed that TAYLOR was evacuated by Lieutenant Colonel BARKER in his C&C ship (pg. 52). LINKOUS thought the woman had been released before TAYLOR was wounded (pgs. 44-52). The company crossed the bridge about an hour after the gunships made their passes (pg. 53). They did not receive any fire as they crossed the bridge (pg. 55). After they crossed the bridge Lieutenants MUNDY and LEWIS arrived (pg. 55). LINKOUS did not remember a photographer being with them (pg. 55). The first platoon moved down the coast along the river (pg. 56). LINKOUS thought the company commander was following the first platoon (pg. 59). He did not recall a sampan being taken under fire, nor did he remember any firing during the day (pg. 56). They came upon a 155 round which was blown up in a hootch by the demmolitions man (pg. 57). They burned hootches in the villages through which they moved (pgs. 58, 59). The burning was done spontaneously (pg. 59). They stopped burning when they reached the beach and they did not destroy Co Lay (3) (pgs. 58, 59). He did not recall seeing caved in or smoking bunkers along the route of march (pg. 58). They saw many people at the last village to which they came (pg. 60). He did not recall hearing that the second platoon had engaged two VC (pg. 61). He did not recall anything happening at the laager site that night (pg. 63).

c. Actions on the 18th.

On the morning of the 18th they moved back up to the bridge, linked up with the third platoon, and found a couple of thousand pounds of rice which was evacuated (pg.63). They rounded up a group of villagers who were cared for by a MEDCAP team (pg. 63). LINKOUS did not see any interrogations (pg. 63). While he knew that artillery marking rounds were fired, he did not know that a woman was brought in with a wounded leg (pg. 64). They received mortar fire that night, but he did not remember receiving any small arms fire (pg. 64).

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d. Actions of the 19th.

On the morning of the 19th volunteers found the enemy mortar position (pg. 65). They came upon two military-age males in a nearby village, Ky Xuyen (1), who were beaten by STRACHAN and National Police (pgs. 65, 66). He did not recall that one of the suspects escaped (pg. 66). He heard nothing about other PW's being mistreated and he knew nothing about any rapes (pg. 66). He heard nothing about PW's having fingers cut off (pgs. 70, 71).

4. INQUIRIES AFTER THE ASSAULT.

LINKOUS knew of no investigations of the 16 March operation and was never questioned about it (pg. 67). He knew of no one who was questioned (pg. 72). He heard no rumors about unnecessary killings by either B/4/3 or C/1/20 (pg. 70).

5. OTHER INFORMATION.

a. Attitude of the first platoon on the 16th.

The witness opined that if any women and children were killed when the first platoon moved into the village on the 16th it was because women were used for combat and the children were not seen (pg. 42). The first platoon might have killed women and children because they were mad about Lieutenant COCHRAN being killed (pg. 43). He did not know of any orders given by WILLINGHAM which could have resulted in noncombatants being brought under fire (pg. 43).

b. Rapes.

Had there been any rapes it would have been kept quiet because Captain MICHLES made certain that rapists were tried (pgs. 66, 67).

c. Marijuana.

While marijuana was used by members of B Company, the witness did not think it was smoked on operations (pg. 70).

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EXHIBITS

EXHIBIT NUMBER	DESCRIPTION	NOTES	PAGES
M-2	MACV Card "Nine Rules"-	Card was issued to witness.	3
M-3	MACV Card "The Enemy in Your Hands"	Card was issued to witness.	3
P-21	Miscellaneous Scene	Wit did not recall seeing Vietnamese in photo.	41
P-22	Miscellaneous Scene	Wit did not recall seeing Vietnamese in photo.	41
P-66	Miscellaneous Scene	Wit did not recall seeing Vietnamese in photo.	40
P-168	Aerial photo of area	Wit oriented on photo.	13
P-206	Miscellaneous Scene	Shown to witness.	11
P-207	Miscellaneous Scene	Shown to witness.	11
P-210	Miscellaneous Scene	Wit knew no one in the photo.	52
P-212	Miscellaneous Scene	Identified as southern end of peninsula.	60
P-215	Miscellaneous Scene	Vietnamese suspect witness saw beaten.	65
P-228	P-168 as annotated by the witness	Markings made on exhibit.	29

(The hearing reconvened at 1322 hours, 16 February 1970.)

COL WILSON: The hearing will come to order.

RCDR: The following named persons are present: COL WILSON, LTC NOLL, and MAJ THOMAS.

The next witness is Specialist Four Rodney Vance LINKOUS.

(SP4 LINKOUS was called as a witness, was sworn, and testified as follows:)

Please state your full name, grade, and Social Security number.

A. Rodney Vance LINKOUS; SP4;

RCDR: State your branch of service and present duty station.

A. Engineers, 91st Engineer Company (Dump Truck), Ruam Chit Chai, Thailand.

COL WILSON: Were you given Exhibit M-81, general information for witnesses appearing before the board?

A. Yes.

Q. Do you understand this?

A. Yes.

Q. This is an interview team of General PEERS' inquiry.

A. Yes, sir.

Q. Have you discussed this operation with anyone assigned to your company?

A. No, sir.

Q. What was your job?

A. I was a squad leader of the 1st Platoon, and our platoon was to go into the LZ, move out--

Q. Wait a minute! Let me describe what was pointed out in Exhibit M-81.

We are going to use a chronological sequence of questions, and my first series of questions is concerned with your identification and your job. And then I have a few questions on training which you may or may not have received. Then a series of questions on the briefing which you received prior to going on the operation, which I want to separate from what happened on the actual operation through the period of 16 to 19 March. So, we will try to hold to that sequence of questioning.

A. Yes, sir.

Q. You were a squad leader of what squad?

A. I think it was second squad. I can't remember at this time.

Q. Do you recall ever having received a class in military justice or possibly the Geneva Convention that covered the subject of legal versus illegal orders?

A. Yes, sir. About three or four times when we were in Hawaii.

Q. When you were in Hawaii?

A. Yes, sir.

Q. Who gave the class?

A. Usually one of the officers in the company. They usually took turns in giving the classes.

Q. What do you remember about these classes?

A. They explained the difference between illegal and legal orders, and that if we thought it would endanger our unit we did not have to obey them unless they were some small thing.

- Q. Were you assigned to B Company at that time?
- A. Right, sir.
- Q. What about this Exhibit M-2 entitled, "Nine Rules," have you ever seen that?
- A. Yes, sir, I have. I carried one while I was in Vietnam. They were issued.
- Q. How was this issue made?
- A. Just before we left the ship, when we landed in Vietnam, they handed those out.
- Q. How about Exhibit M-3 which is entitled, "The Enemy in your Hands"?
- A. Yes, sir, we received one of those too.
- Q. Everybody?
- A. As far as I know, sir.
- Q. Was it handed out individually or handed out to the platoon sergeants?
- A. It was handed out through the platoon sergeants.
- Q. Were you a squad leader then?
- A. Yes, sir.
- Q. How long were you a squad leader?
- A. I'd say 15 to 16 months, sir. Four months while I was in Hawaii and the whole time while I was in Vietnam.
- Q. Would you describe, in as much detail as you can recall, the briefing or the orders that you received prior to the combat assault on the 16th of March.
- A. As far as I remember, it was a search and clear mission. We were supposed to go in and check ID cards and check for rice, anything that may be useful to the enemy, and

detain any suspects we felt could be VC or deserters from the Vietnamese Army.

Q. I want to be clear we have the right operation in mind. I am talking about the operation in which Lieutenant COCHRAN was killed the first day, and MILUS was killed the last day.

A. That is the same operation.

Q. This is the one you are talking about?

A. Yes, sir.

Q. You received this briefing from whom?

A. From our platoon leader.

Q. Who was that?

A. Lieutenant WILLINGHAM.

Q. Who else attended this briefing besides yourself?

A. The rest of the platoon. We usually worked it out that way so everybody could get the information.

Q. It was not passed from the squad leader to be passed down?

A. No.

Q. Where was it given?

A. I think we were at LZ Uptight at the time. Whatever fire base we were on, it was given at the platoon CP.

Q. Was the platoon CP large enough so it could be given inside?

A. It was held outside, sir.

Q. Let me name a few names here and see if they were in your squad. JENKINS and WILLIAMS?

A. Yes, sir.

Q. Which one?

A. JENKINS.

Q. How about Amos WILLIAMS?

A. I can't remember for sure, sir. He might have been.

Q. HOOTON?

A. No, sir, he was in the point team.

Q. JONES, Marvin JONES?

A. Yes, sir.

Q. GRIMES?

A. I can't remember him, sir.

Q. Were any of these men in your squad: CRESENTE and Larry TAYLOR?

A. Larry TAYLOR was in the point team, sir.

Q. MICHENER?

A. Yes, sir.

Q. And STENIBRECHER, I believe was he in your squad?

A. I can't remember for sure, sir.

Q. I believe he was the mortar FO.

A. BREITENSTEIN and STEINBRECHER.

Q. Not BREITENSTEIN.

A. He was the artillery FO. I can't remember STEINBRECHER.

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Q. Was there anybody else in your squad that you can remember whose name I have not read?

A. No, sir. I can remember the names, but I can't remember what squad they were in.

Q. We carry the following persons in the first squad. I'll read them off and you can tell me if they are: SHIFLEY, STEINBRECHER, GONZALEZ, HALL, MILUS, and WOOD?

A. No, sir.

Q. None of them were in your squad?

A. No, sir.

Q. We did carry--although we know it is not the way it was now. We did carry a third squad with CARDINES, LOVE, MADISON, and HOLMES. Were any of those people in your squad?

A. No, sir, not that I can think of.

Q. With LITTLE as a squad leader.

A. I think that is how we got it--the operation with three squads, but I can't remember.

Q. The predominance of testimony indicates that you went in with two squads.

A. As far as I can remember, we had three cut-down squads. We were very short then.

Q. Well, it would be advisable for you to take a platoon roster before you leave and with the roster--

RCDR: (Interposing) He has the roster.

A. There is very little--those things are very faint in me.

COL WILSON: You described this as a search and clear operation. Where was this village located?

A. On the coast about 6 miles due east of LZ Dottie.

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Q. Due east?

A. Due east.

Q. What orders were given, if any, concerning the destruction of villages and houses?

A. I can't remember anything being given, sir.

Q. Was it considered, in the event these are not given, to use normal procedure.

A. Yes, sir, it was more or less, use our own discretion on this. If we deemed it necessary to destroy a village to get it cleared, then do this.

Q. You got it cleared though. Is that what you say is the normal procedure?

A. Yes, sir.

Q. Was it normal for B Company to destroy villages in operations?

A. Not really, sir.

Q. What about the destruction of food stocks?

A. If we deemed that the food supply was too large for the people in the village, over a period or for a certain time, we would take away what we thought they might give to the VC. Of course, that was under orders.

Q. This was an evacuation, right, or would you destroy it?

A. If we could evacuate it, we would. If we couldn't, we'd burn it.

Q. What about the normal, everyday rations, food stocks that the people had in their homes?

A. No, sir, we would not touch that.

Q. It was a normal operation? There was no change in this operation, was there?

A. There was a change.

Q. In the briefing?

A. No, sir, not in the briefing.

Q. There was nothing said about what to do with food.

A. Just the normal procedure.

Q. What about the disposition of the inhabitants of this village?

A. If they gave us no trouble and were cleared of being VC sympathizers, then just to leave them alone.

Q. That was the normal procedure?

A. Yes, sir.

Q. As far as food, and destruction of houses and population within this area, you got no special instructions?

A. Just the normal procedure.

Q. And you believe this was a search and clear mission?

A. Yes, sir.

Q. Did you know you were going into Pinkville?

A. Yes, sir.

Q. Did you consider this operation any different from a combat assault operation?

A. No, sir. We considered it a little more dangerous because we knew there were quite a few VC in this area.

Q. What was the enemy situation depicted by Lieutenant WILLINGHAM?

A. There were quite a few VC and there were NVA somewhere in the area according to the briefing.

Q. What size unit, were you informed of that?

A. No, sir.

Q. What was the concept of operation for the other platoons of B Company? Do you recall? What was it described that they would do, the 2d and 3d?

A. They would be doing essentially the same thing in other areas.

Q. You don't know whether one was going to move north or move south, or anything like that?

A. No, sir.

Q. Did anybody ever say anything about one of the platoons was supposed to sweep My Lai (1), the Pinkville area?

A. Not that I can refer to.

Q. Nothing was mentioned about this subject?

A. No, sir.

Q. What was the planned squad deployment after you hit the ground? What was briefed? What did you think the first and second and if you believe there was a third squad were supposed to do?

A. We were supposed to land and spread out to cover the next wave of choppers that came in. Then we were supposed to move out to the east to our objective. The point team was leading and my squad came next.

Q. Was this briefed?

A. Yes, sir.

Q. So that the first squad to lead off behind the point was the second squad?

A. Yes, sir.

Q. Second squad was to lead off behind the point?

A. Right, sir.

Q. And then the other squads were to follow you?

A. Right, sir.

Q. And you were to secure the landing zone?

A. The whole platoon.

Q. That is as you recall what each squad was to do?

A. Yes, sir.

LTC NOLL: Lieutenant WILLINGHAM briefed your platoon. Did you observe the manner in which the other two platoons were briefed?

A. They were briefed at the same time.

Q. Were they briefed by the platoon leader or the squad leader?

A. I couldn't tell you, sir.

COL WILSON: What I am going to do in order to bring this back to you as best we can, is describe what we know about the operation, and then we are going to walk through each day. And what we don't know we will get from you if you can fill us in.

A. All right.

(COL WILSON gave the witness a map orientation using Exhibits MAP-4 and MAP-5 and Exhibit P-217.)

COL WILSON: Did you receive any fire prior to landing?

A. Not that I can recall. It seemed like a very quiet landing.

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Q. Were your doorgunners firing when you went in?

A. Yes, sir.

Q. Which lift were you on?

A. The first lift.

Q. How far out did the doorgunners begin firing?

A. It does not seem like it was too far out. Probably in the last 200 yards before the LZ.

Q. Could you tell what targets were selected by the doorgunners?

A. Any place that would be a good place for a hostile position.

Q. It was recon by fire then?

A. More or less.

Q. Did you see any gunships?

A. Yes, sir. There were some circling the area. They were not called in if I recollect correctly, sir.

Q. Exhibits P-206 and P-207 are allegedly the photographs of gunships making their sweep on your landing zone. Do you recognize this area?

A. Yes, sir. I think we landed approximately here (indicating), somewhere in this area.

Q. You are referring to Exhibit P-207 on the right side, and you say you landed there, which is adjacent to a graveyard.

A. Too many of these graves would be in the way of these choppers.

Q. Do you remember this graveyard?

A. Yes, sir.

Q. How about photograph Exhibit P-206? This is taken probably back in flight from the landing zone. Here you can see the river and you can see your approach better. Do you recognize that? This also is the same field, I believe, which is shown in the bottom of the photograph, because you see these two.

A. I think that is the same field.

Q. So, does this make it any clearer? Do you also feel this was the landing zone?

A. I would have to be a lot closer before I could be sure. There were some fences to the right of the helicopter when we landed.

Q. Your platoon went in first and secured the landing zone, is that correct?

A. That is correct, sir.

Q. You were followed by the second lift. When the second lift reached the ground, what did the 1st Platoon do?

A. As soon as everybody was off, they started moving out as soon as they got the order from the company.

Q. How long was it from the time the choppers touched down until the first platoon departed? How long would it have been?

A. Not more than 10 and not less than 5 minutes later.

Q. And you were the first platoon to move out?

A. Right, as far as I know.

Q. Did you see what the other platoons were doing after you moved?

A. I could see the other platoons getting ready too.

Q. What about mortars, did you see the mortar anywhere?

A. From our platoon?

Q. The 81 mortar.

A. I didn't see it.

Q. Do you remember the route that you took when you moved from the landing zone?

A. I can't be sure, but I think we went across approximately two or three fields through a fence and then onto a trail. It was number 521.

Q. You believe you hit that trail?

A. A large gate or arch over the road, that was to one side of us as we got up to the fence. There was a gate, and we didn't want to chance going through that gate.

Q. You didn't want to go through that gate?

A. We hardly ever go through a gate.

Q. How far were you from this gate when you reached the road?

A. We were about 50 yards in the village. I would say about 50 yards this way.

Q. That would be 50 yards east of that gate where you hit that road?

A. Right.

Q. Going to Exhibit P-168, we estimate that gate was located about right there at this point (indicating). This is the area, referring to MAP-4. The graveyard located here was, we believe, the same one you saw in the photograph, and the 521 road is shown here (indicating). We believe that the gate was located out here at this intersection marking the entrance to My Lai (1). This would have put you onto Route 521 just east of that gate, somewhere in that area. Does that track with what you think?

A. I believe so, sir. I seem to remember a gate. It must have been either over in here or someplace.

Q. You don't think it was this one?

A. I know it was not that one. We were not that far, because we came in like, it seems like about like this, and stopped right in here (indicating) for a while.

Q. How do you know you stopped in there?

A. Because there was a trail leading off to the north. There were quite a few buildings.

Q. There is one here leading off. This is a couple hundred meters.

A. It's about 400.

Q. Let's take a look at this photograph and see. This is that funny textured material that you see here, and that makes this the graveyard. Now, there on the 1:50,000 map, which is Exhibit MAP-5, it has a hachure area going around My Lai (1) which is generally traced right along in here. There is a question whether there is a road or ditch of some sort.

A. They used the ditch as a road sometimes.

Q. What I am trying to do is show you or get you properly located. See this area around My Lai (1), this is the area we were talking about. We believe this gate was right here. It may have been further in. What I am trying to do is determine where you hit 521.

A. I remember we hit the northern area, northeast until we hit the road and came in across--

Q. (Interposing) You hit the road after you had gotten in the village.

A. Right, we came in here. Right about here (indicating) is where we came in.

LTC NOLL: You are referring to Exhibit P-206 and P-207.

A. It would have been right about in here. I think it's that road. It would have to be right about in here.

Q. You are pointing to the center part of the photograph, Exhibit P-206?

A. Right.

COL WILSON: Now, the point group was out in front of you, and I want to find out and see if I am correct. The point was composed of HOOTON, TAYLOR, and TITTLE, and was there another man?

A. The three you mentioned I can remember for sure. I can't remember if there was another one or not at that time. They did have one later.

Q. Do you recall if there was a radio assigned to the point team that day?

A. I can't remember if they had it that day. They had the squad radio at one time or another, the ones that fit our helmet.

Q. No. This was a PRC-25 or--

A. (Interposing) It's a 25. I can't remember them having that.

Q. As you moved up toward the road, was there anything that happened as you moved toward the bridge?

A. Just about that time we heard an explosion, and I thought it was the first group of men that were wounded, at least that is what we thought.

Q. Where were you located when you heard this explosion?

A. About halfway through the village, sir.

Q. How far back from the bridge?

A. About 200 or 300 yards at the most. We had taken our time going up there and we wanted to make sure that the trail--and because we were in the area of Pinkville, we wanted to make sure of mines and booby traps.

Q. You were moving along very cautiously?

A. Right, sir.

Q. We are going to ask you to annotate this photograph as best you can as to what happened. And we are not going to ask a lot of questions about where the LZ was, but the first thing you recall was that you were about 200 meters from the bridge when you heard the first explosion?

A. Right, sir.

Q. This would have put you 200 meters from the bridge if the log (Exhibit M-16) is correct at 0845?

A. Right, sir, it would have to be.

Q. You can separate these two. You did hear another explosion. Did you hear two explosions?

A. Yes, the next one was very faint.

Q. I just wanted to be sure. You were 200 meters from the bridge at 0845. On that aerial photo (Exhibit P-217), one inch equals 100 meters. Point 1 is the estimated location of the 1st Platoon at 0845. (Exhibit P-217 when annotated by witness becomes Exhibit P-229.) The platoon continued to move and the point group was up there. Did they have a mine-sweeper or anything with them?

A. No, sir. They were just watching for irregularities in the trail, quite a few mines. You can tell if they were there unless they were in the ground a long time.

Q. And they moved along very cautiously. What route of march do you estimate was being made?

A. If I can remember, it was about 30, I'd say about 30 yards every 5 minutes, very cautiously.

Q. You are talking about one mile an hour?

A. It was about that or less.

Q. Now, did at the time you were moving--when you moved from point 1, 200 meters from the bridge until you got to the bridge, was there any fire received?

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A. No, sir, we didn't receive any.

Q. You didn't receive any fire?

A. No, sir.

Q. You were moving down the road through the village and you had hedgerows beside you?

A. No, sir. It was buildings, and mostly abandoned buildings that were falling apart. It looked like they were hit by artillery a few times before.

Q. Did you observe any people in the area?

A. No, sir.

Q. Were you in the front of your squad or the center? What was your position?

A. I was three men behind.

Q. Did you have a connecting file with the point?

A. The first man was more or less a runner between the point and myself.

Q. How far was the point ahead of your squad?

A. They were sticking pretty close together. I'd say between 30 to 50 yards away from us.

Q. You were a little closer than normal?

A. Right, sir, we didn't want them to get into any trouble.

Q. Did you have a machinegunner attached to your squad?

A. Yes, he was right behind the first man. He was right in front of me. In other words, so they could get support fire to the point.

Q. The machinegunner was out in front of you?

A. Right.

- Q. Where were you when you heard the next explosion?
- A. We were approximately 25 yards from the bridge and set up.
- Q. Had anything happened prior to that? Did you receive any fire or was any action taken?
- A. No, sir. It was pretty quiet with us.
- Q. At 0930 according to the log (Exhibit M-16), the second booby trap was tripped. At that time you were 25 yards from the bridge?
- A. Right, we had set up defense and were discussing how to go across the bridge without endangering our platoon.
- Q. And that was being discussed by whom?
- A. The squad leader and the platoon leader.
- Q. Did he have a meeting there or something?
- A. He called us over to see which one of us wanted to go across first and secure the other side while the other platoon went across.
- Q. That was the first time this decision was made?
- A. Right.
- Q. You were the front forward squad, weren't you?
- A. Yes, but we more or less took turns in doing something like this.
- Q. Are you telling me that the platoon stayed in the squad column at that time, or did the squad move up on line?
- A. They moved up on line and they split up in approximately half.
- Q. In other words, you were up on line with personnel on each side of the bridge where you could observe the other side?
- A. We always had a rear security platoon.

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Q. At that time a meeting was called?

A. Well, the platoon leader had the second or third squad leaders. I forget what it was.

Q. I think we had better put point 2 down here.

LTC NOLL: Were they deployed before you had this meeting?

A. Yes, sir.

Q. Do you remember which squad was on the north and which squad was on the south?

A. I can't really. Most likely they moved one squad in on the right and the other on the left as far as I can remember.

COL WILSON: Up until this time you had not received any fire?

A. Not that I can recall. Somebody may have received--talked to me of hearing a shot go over, but I never heard anything. We had a quite a few new people at the time.

Q. Now, at this meeting, what was the decision? Who was going to cross first?

A. My squad was going to cross first and secure the other side for the rest of the platoon to come across.

Q. Do you remember if there was any standard procedure regarding support fire from any other weapon, gunship, mortar, or artillery?

A. Not at that time, sir.

Q. You don't recall whether there was a mortar preparation with five rounds and three duds?

A. Yes, sir, that is right, that is right.

Q. A couple rounds should have detonated. Did you see those?

A. Yes. They hit a little too far and went on the other side of the village.

Q. What did?

A. The round.

Q. They did hit on the other side of the village?

A. I think they did land on the beach. I am not sure of that.

Q. It's possible that the duds were out there on the beach, from one of the witnesses who found them out there. You do recall whether there was a mortar preparation?

A. Yes. When you mentioned there were duds, I remember somebody not pulling the safety pins off of them.

Q. Now, these rounds that you say--you believe landed on the beach?

A. Yes, sir, I believe that.

Q. Could you see them or was it just sound?

A. Just sound.

Q. Did you notice that the mortar FO was up there or did you see him or hear him call in for mortar fire?

A. No. I was briefing my men on what we were going to do on the other side and who was going where.

Q. At point 2 at the time that squad conference was going on with the platoon leaders, was that the place where you first observed the mortars or did it happen after you moved forward from there?

A. I think it was after I moved back to my squad.

Q. Which would have been up there on the river?

A. Yes, sir.

Q. Your squad was deployed along the river?

A. Right.

Q. From there could you see across the other side clearly?

A. All we could see on the other side was brush, and on the right and left it was maybe 30 feet of light brush and then heavy brush, and then this extended for maybe 50 yards, a mangrove swamp.

Q. You decided how you were going to cross and your squad was going to lead across?

A. Right.

Q. And then what happened?

A. We moved out and got on the other side and set up a defensive perimeter around the bridge facing in toward-- away from the water. And after we secured it on that side and could cover the platoon coming across, they came across and started moving through us as soon as they got across.

Q. The point group moved across first, didn't they?

A. They moved across with us and waited with us until the rest of the platoon came across.

Q. Let me ask you a couple of questions. Do you recall a machinegun being placed in position on the west bank or the west side of the river and firing?

A. I can't recall a machinegun firing. We were going to wait to see if we received anything first, if I can recall.

Q. Do you recall the purpose of the machinegun firing. Was it to fire on the bridge for the elimination of mines and booby traps and also on the approaches to the other side?

A. It was a concrete bridge.

Q. What about the deck?

A. It was concrete, too.

Q. No, earth over the top of it?

A. No, sir.

Q. So the possibility of mines on that bridge was not there?

A. No, sir. On the approaches, yes, but not on the bridge itself.

Q. But you distinctly recall a machinegun going into position?

A. It never fired as far as I know. I can't remember it firing.

Q. Where was the point group when this meeting was held? They had not crossed, had they?

A. I don't think so, sir. I can't remember definitely. They usually were very much on their own unless there was something important like this. And I would say they were close to us, but I can't remember.

Q. Who was your machinegunner?

A. MILUS, I think, sir.

Q. Who was the machinegunner in the other squad?

A. I can't remember who he was.

Q. You moved across the bridge with your squad leader, the point squad leader, followed by your platoon and followed by the other platoon.

Q. We are going to go to Exhibit P-217 and note in more detail the locations of the squad and the movement after you reached the bridge. You say your squad was on the north side, is that correct?

A. No, we moved more in on the right.

Q. Your squad led off first?

A. Right, sir.

Q. All set up over here?

A. Right, there, about right like this (indicating).

Q. You are securing in this direction, eastward?

A. Right, sir.

Q. This is a very difficult scale.

A. We were right off the end of the bridge.

Q. The rest of the platoon came across and moved through your squad, is that correct?

A. That is correct.

Q. What direction did they go?

A. Down about right like this (indicating).

Q. They didn't go down this way, down by the water?

A. No, sir. There was a lot of brush in there and they came around the brush.

Q. Describe to me what the terrain conditions were over here as you left the bridge. Could you go straight and go on a path down the beach?

A. No, sir, the path came here and curved right.

Q. You are talking about a width here of 300 or 400 meters across?

A. That was approximately 50 or 60 yards, and the trail curved to the right.

Q. It would have been more to the center of that small peninsula?

A. It was more or less 50 meters, and then curving in like this, and it was quite of bit of heavy brush.

Q. You are saying that this ran generally something like this (indicating), curving?

A. More or less.

Q. Then where did it go?

A. The village in there.

Q. This was the village?

A. Right, like this. There were high banks and sand dunes in here.

Q. You had a ridge down here on the right?

A. Right.

Q. Could you give me an idea of what you considered the village in here?

A. Something like this (indicating).

Q. Come back over this way?

A. About like this (indicating), a few scattered hootches over here.

Q. How many hootches do you think were in this village?

A. Approximately 40 to 50.

Q. It was a good-size village?

A. Yes.

Q. There were that many?

A. Yes, sir.

Q. This trail went into the village, right?

A. Right.

Q. Did it take an abrupt right?

A. It angled like this and broke off to one hootch over here in the tree line.

Q. It went in like this and there was another trail over here?

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- A. Yes. I'd say like this, and there was a little hootch over here (indicating).
- Q. Right here?
- A. Yes.
- Q. You stayed at the bridge?
- A. Right, sir.
- Q. What was it? Was there any action taking place at that time?
- A. After the platoon got out of sight around here (indicating), I heard what sounded like shooting over my head.
- Q. Coming back in your direction?
- A. In our direction.
- Q. Had the whole platoon moved forward at that time?
- A. Everybody but my squad, we were still securing the bridge.
- Q. Was MILUS still with you or did he go with the point?
- A. He went in with the point. We kept him with the point at this time.
- Q. And the remainder of the platoon moved into the village?
- A. I can't be sure if they were in the village or not when the firing opened. I could not see them from my position.
- Q. When did you first know a village was there?
- A. After I came forward and the platoon was consolidated to move on up in here (indicating).

Q. You remained there while the platoon moved into the village. Were you called forward at some time or did you just pick up and move forward?

A. They sent somebody back and told us to move up. They were getting ready to move out.

Q. When you moved forward, did you follow the same trail that the platoon followed?

A. Yes.

Q. And you mentioned a trail going to the south before you went into the village, where a hut was there?

A. Right.

Q. Was there any action at that point?

A. At the hut?

Q. Yes.

A. Not that I know of. Nobody had gone over there until I--

Q. (Interposing) Did you do this while you were moving into the village?

A. Right. I thought they may have missed or something like this. It's in deep. You couldn't see it very well.

Q. Was anything there?

A. No, sir.

Q. As you moved into the village, did you encounter any resistance?

A. None at all. I would say this was an hour to an hour and a half later.

Q. What was an hour later?

A. When we moved in.

Q. You mean you stayed at the bridge for an hour and a half?

A. Approximately an hour and a half.

Q. Was the firing going on there all of that time?

A. Yes, sir. Most of it was from our men. When the firing started and the shots came over our heads, then we returned fire.

Q. Who did?

A. The 1st Platoon, our platoon.

Q. How about your squad? Was it returning fire?

A. No, sir. Our platoon was between us and where we thought the fire was coming from.

Q. Now, as you went into the village, could you see the combat there?

A. Yes, sir. There were a few people lying up there on that ridge line. There were two or three that I could see. I didn't go too far. I stayed about here (indicating).

Q. This ridge line is about here. Is this where you think you saw the people?

A. Right.

Q. You saw how many?

A. I can't be sure, two or three.

Q. Were they dead?

A. As far as I could tell, sir. They were not moving.

Q. Were they male or female?

A. I couldn't tell, they were too far. They were lying face down.

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- Q. How far away were you?
- A. About 125 yards.
- Q. What else did you see?
- A. They had been using charges on some of the shelters here (indicating), the bomb shelters. I saw quite a few of them had been wrecked with explosives.
- Q. The bunkers?
- A. Yes, sir.
- Q. Were they bunkers or tunnels?
- A. They were small bunkers.
- Q. How could you tell they were just demolished?
- A. They looked fresh, and some of them still had smoke in them.
- Q. What about in the village, did you see any bodies in the village?
- A. I didn't go too far in.
- Q. How far in did you go?
- A. Approximately 25 or 30 yards, something like that.
- Q. What about the huts, the 40 or 50 huts that were in the village. What was their condition?
- A. At the time there was not much damage to them.
- Q. So there were a few of them burning?
- A. Yes.
- Q. Most of the damage done at that time was done with the destruction of bunkers?
- A. Right, sir.

Q. This was fairly extensive. Did it cover most of the village?

A. It covered most of what I saw.

Q. This was in the village?

A. Yes, sir.

Q. Would you say that most of the bunkers were destroyed?

A. I would have to say most, because I didn't see all of them.

Q. I put several entries on this photograph (Exhibit P-168) without numbers, but arrows pointing to them. One entry shows the platoon moving into the village over the path or the trail that was described by the witness. Another annotation shows a dotted line delineating the area in which I believe the village was located and with an entry there of 40 to 50 huts. An X marks the location of two or three dead on the hill; sex unknown. This observation was made at about 125 yards. Another arrow points to inside the village, with most bunkers destroyed on the arrival of the witness' squad in the village.

(Exhibit P-168 when annotated by witness is entered into evidence as Exhibit P-228.)

A. Bunkers were still smoking.

Q. Did you see any bodies in the village at all?

A. Not in the area that I could see from where I was standing.

Q. You were on the north side of the village?

A. Yes.

Q. Did you get as far as the central part?

A. No.

Q. If you think there were 40 to 50 huts in there, how many do you think you saw?

A. Probably 10 or 15 at the most.

Q. You saw about 25 percent of the building in the village?

A. Right.

Q. And that would indicate that you saw about 25 percent of the village?

A. Right.

Q. And in that 25 percent of the village, you did not see any bodies?

A. Right, sir.

Q. Could you tell anything about the methods used in the destruction of the bunkers?

A. As far as I recall, no. One of the people would guard the entrance while the other ran up and threw a stick of TNT with a blasting cap into the hole, and they would lob that in and run back.

Q. What about frag grenades?

A. They wouldn't have the effect of a pound of TNT.

Q. What you are describing to me is a demolition procedure?

A. Yes, sir.

Q. Do you think that is what they were doing? Do you believe anybody was in those bunkers?

A. I couldn't tell you about that, sir. I didn't hear anything, and I didn't see anything.

Q. Did you look into any of the bunkers?

A. No, sir.

Q. Did they have much demolition?

A. We usually carried quite a bit of it with us for blowing up mines, booby traps, and dud rounds. We carried from 20 to 40 pounds of TNT, blasting caps, and fuzes.

Q. Are you talking about the platoon?

A. Right.

Q. You observed these bunkers and you know how they were constructed. Are you telling me a pound of TNT is going to demolish a bunker?

A. It will open it up a little bit at the top. All they did was make it like a vee and lay poles around it, and then throw some gravel and dirt over it in the thickness of 2 or 3 inches. The explosives had enough force to lift it up at times.

Q. As you say, it did a pretty good job on these bunkers?

A. Yes.

Q. Most of them were caved in?

A. I'd say at least three-quarters of the ones that I saw were.

Q. You think they were using one block?

A. Yes.

Q. Did you note what the procedure was in attacking the bunkers where there may be noncombatants?

A. Before this we never attacked a bunker. If we found one, we would go in and check it out, of course, very carefully. And if it had any military value beside being a family shelter, then we would blow it.

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Q. These that you saw, did they have any military value?

A. I couldn't say. I didn't see inside. I have been inside quite a few and they looked normal on the outside, but usually it was an entrance to a larger tunnel.

Q. Did anybody go into these?

A. Not that I know of.

Q. They were not searched out?

A. No.

Q. Do you know if any attempt was made to find if there were any people inside?

A. A couple of times I heard somebody holler into the hole, but that was it.

Q. What were they saying?

A. They were talking in English to get someone out, and I think they used "di di mau," which means come out.

Q. Did you hear any extensive machinegun firing going on up there?

A. I heard short bursts, not any long ones.

Q. Did you see the location of the machinegun?

A. I can't remember it, sir.

Q. Did you see where Lieutenant WILLINGHAM was located?

A. No, sir. He came over by me and that was the first I saw of him in one hour and a half. I saw him right about here (indicating) where we stopped and where we entered the village.

Q. You had just come up from the bridge upon entering the village. Is that when you saw him?

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- A. Right.
- Q. Was his radio operator with him? Do you remember seeing FERNANDEZ?
- A. I can't remember him being with him, sir.
- Q. Did you see him that morning?
- A. FERNANDEZ was there, yes, sir.
- Q. Do you remember what time it was that you moved into the village?
- A. I'd say approximately 1000 hours.
- Q. When you moved into the village?
- A. When I moved into the village, I'd say it was about 1100 or 1130, because the men were getting hungry.
- Q. You think that the platoon took the village under-- or began to sweep through the village at 1000?
- A. Yes.
- Q. And you moved into the village one and a half hours later?
- A. Yes.
- Q. Did you see any resupply come in about the time you were ready to eat?
- A. I remember a chopper coming in, but I don't know what it delivered. We were somewhere along in here (indicating) and about the time we got to the village, they landed right about in here.
- Q. When did you say you saw this?
- A. As soon as we started moving into the village.
- Q. You didn't see what they took off of it?

A. No, sir.

Q. You think he landed? You did see him come in?

A. I'd say right here (indicating). I can't be sure.

Q. I just annotated the approximate area of the chopper landing.

What was your function then after you got into the village? You were up in the north end of the village. What happened after that?

A. We formed up and moved out with the point in the front and my squad next and the CP behind my squad.

Q. Where did you go?

A. We moved north out of the village. We moved back toward the bridge along a path, almost over on the western side of the island.

Q. And then what happened?

A. On the way up, we stopped and we came to a place where we could not see too far and hit a path. We reconned by fire with the M16 and moved forward, checking out any likely areas for a night laager.

Q. You moved all the way--it was a recon by fire all the way up there?

A. We came to quite a few places where there were a few dips and rises in the land, and we had dropped M-79's and fire in there. And we came to where a brush covered the trail and we used machinegun and M-79.

Q. You were firing at terrain then, weren't you?

A. Right.

Q. Did you ever bring any living areas or houses under fire?

A. Not at that time, sir.

Q. When was it done before this?

A. In here (indicating). I'm pretty sure it was and we did fire at bunkers and houses. I can't be positive. The men told me they received fire from this ridge and they had seen people running along to the north.

Q. Who told you this?

A. The men that had been in the village.

Q. How many people were running?

A. I didn't hear any number given.

Q. Were they male, or female, or what?

A. It was too far away from them to see. They just said they saw people running and there was fire coming from that area.

LTC NOLL: What time of day did you depart this area?

A. I would say around 1200 or 1215, after everybody had eaten and got ready to leave.

Q. Did you eat inside the village?

A. No, sir. We set up a perimeter.

Q. Did you talk to the people in the first squad while you were in there?

A. I talked to a few people, yes.

Q. Did they describe what went on in there that morning?

A. I got the description of the people that were in there, the people firing.

Q. Did they say anything about the total body count?

A. Not at that time, sir. They said they didn't know what it was.

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Q. Did they make an estimate then or later on?

A. They were estimating, but I thought it was high. It seems like they were exaggerating. They said as high as 150 at one time and they were including men, women, and children. And that village would not have held more than 175, and I doubt if there was that many people in it.

Q. What were they basing their approximation on?

A. Guess work, sir.

Q. Do you remember anyone that made such an estimate?

A. No, sir, I don't. It was just little things that I remember.

Q. When you were back at the bridge, did you have radio communications to the headquarters?

A. No, sir.

Q. Did you see any people assembled in this village before you got ready to leave?

A. No, sir, I didn't see anyone.

Q. Nobody at all?

A. No, sir.

COL WILSON: I want to go over some log reports in Exhibit M-16, and I want you to tell me, if you can, all you know about them.

At 0955 B Company reported to Task Force Barker that in the area of the 1st Platoon, across the river, 12 VC were killed. Now, according to your estimate, at approximately or somewhere around that time is when the platoon entered that village.

A. Right, sir.

Q. Do you recall anything being said about 12 VC being killed about the time the platoon went in there?

A. No, sir. They just stated that they had killed people in the village, and that is when I had gone up.

Q. That was later?

A. Right, sir.

Q. That report was made. It must have come from the 1st Platoon?

A. Right, sir.

Q. At 1025, 30 minutes later, another report was submitted which said 18 VC were killed. Now, we are talking about 30 VC killed, and it appears that the coordinates are located in the same place. This is getting to where your platoon is about an hour away, before you get in there, and I wonder what happened to those 30 VC that were killed?

A. I don't know, unless all of them were on that ridge. But in the area that I could see, I did not see any bodies.

Q. In the area of the village that you could see, you did not see any bodies?

A. No, sir.

Q. The only ones that you saw were up on that ridge line?

A. Yes, sir.

Q. Could you see from the bridge--since it was high and probably the vegetation was not there--could you see what was going on up there on that ridge?

A. No, sir. I could not see the ridge from my position. There were trees between me and the ridge.

Q. All right. Now, you estimate that you departed that area, point 3 on Exhibit P-217. When you left the village, you are estimating what time?

A. I'd estimate between 1200 and 1230.

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- Q. And you had received a resupply by that time?
- A. The chopper did come in.
- Q. Do you remember getting any water?
- A. This is the way we were getting resupplied at the time. I had three canteens. I didn't need any water at that time. It was too early in the mission to need it.
- Q. And you moved north around 1200 or 1230?
- A. I'd say approximately 1215 at the latest.
- Q. And moved on a recon by fire?
- A. Right, sir.
- Q. And you moved up the peninsula there until you hit your laager area for that night, is that right?
- A. Right.
- Q. At 1420, B Company, according to Exhibit M-16, reported to Task Force Barker that in the general area out there on the peninsula there were eight VC killed. Did you run into another fire fight or have any more contact when you left that village?
- A. Not that I recall. All I recall is the recon by fire. And I was going to say it seemed we didn't leave the village that late, that they could have counted more bodies during that time.
- Q. Where do you think they counted these eight bodies?
- A. I don't remember any additional bodies at that time. We didn't have any more contact the rest of that day after we left the village.

Q. Well, you don't remember hearing any communications going back and forth on body count or anything like that?

A. No, sir.

(MR WALSH entered the hearing.)

Q. I believe you said that these were estimates. Was that your question, Colonel NOLL?

LTC NOLL: Yes, sir. I asked him if he heard any talk about what the platoon had done in there and if there were any estimates on the body count?

A. And I said they had been extremely high estimates, more than I thought they probably got. Like the action we were in in February, we heard that we had killed upwards of 200 VC KIA. And they credited us with 70 at the end of the action, they cut it down that far.

COL WILSON: And as you moved up the peninsula, do you recall seeing a swift boat coming in with some sampans being escorted?

A. No, sir. We didn't get near--wait a minute. Yes, sir, if I remember correctly swift boats called us up to meet them on the beach. That was in the area where we laagered that night. They brought some sampans in, and we questioned them and brought in a helicopter to take them out.

Q. Take who out?

A. The VC prisoners out.

Q. How many?

A. VC suspects. I doubt if it was more than 10 if it was in our night laager position.

Q. Are you pointing out where the swift boats came in or the night laager?

A. It's almost exactly the same area.

Q. He confirms the laager.

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This was reported as far as the log (Exhibit M-16) was concerned, and they said between 1600 and 1700 a Navy swift boat sighted 10 sampans, directed 6 to the coast, and ran them over to Task Force Barker, to the 1st Platoon. Do you remember Vietnamese National Policeman interrogators coming in?

A. Not at that time.

Q. Did somebody come out there to separate these people?

A. Right, right. Yes, sir, they came out. I think there were two of them and they questioned them, and left two or four go. These three or four took the boats with them.

Q. Did the Vietnamese interpreters stay out there or did they go back?

A. They went back.

Q. How many were there, do you know?

A. I think two.

Q. Did you see them interrogate anybody?

A. Yes, sir.

Q. Did you see them mistreat anybody?

A. No, sir.

Q. How many sampans were there?

A. I can't remember.

Q. Exhibit P-66, have you ever seen either one of those two Vietnamese soldiers?

A. They look as though they may have been with us at one time, but they were not with the swift boats.

Q. You don't remember them?

A. No, not that many.

- Q. Exhibit P-22, have you ever seen one of those two soldiers?
- A. I can't remember them.
- Q. Exhibit P-21?
- A. They don't even look like they were near the spot that we selected.
- Q. I am asking about the people?
- A. No, sir.
- Q. At the time that you moved north from the village that morning, do you recall if the point had any Vietnamese preceding them?
- A. No, sir.
- Q. You didn't see a Vietnamese woman out there with TAYLOR?
- A. That is right. He released her the next day before he got hurt. We had her with us all night.
- Q. Where did she come from?
- A. I think she came from the village. I can't tell you that for sure.
- Q. Was she moving voluntarily or was she being forced?
- A. She was not being forced. They had her hands tied so she couldn't get away from them, but they were not mistreating her in any way.
- Q. It's been stated that she was on a rope?
- A. They had her hands tied behind her back so she couldn't run.
- Q. And attached to what?
- A. The rope around her hand.

Q. Was this done the next morning? Was the same procedure used as they moved back?

A. Yes, sir.

Q. She stayed in the laager area that night?

A. Yes.

Q. Were there any other Vietnamese women?

A. I remember her now, because TAYLOR said that he was going to marry her, and he did share his rations with her.

Q. He fed her?

A. Yes, sir.

Q. Before we go on to the next day, or before--let me say that we have had official reports during the time on the day that this operation occurred that there were 38 VC KIA. And we have had people that have gone into that village--not hearsay--but that have seen from 15 to 20 described as women and children there. And I wonder where these people were that were killed in this village.

A. Well, I never saw any bodies except the people that I pointed out on the ridge, but they could have been behind hootches or anywhere.

Q. Did you or your squad have any responsibility for searching out those hootches, beside the ones that you did?

A. No, sir.

Q. What do you believe happened in that village?

A. I believe if they did kill any women and children, it's probably because they didn't see the children and sometimes they do use women for combat.

Q. Do you believe that the 1st Platoon or elements of the 1st Platoon were mad enough or angry enough at this

particular area or this particular group to go over here and bring noncombatants under fire?

A. I think they could have, because Lieutenant COCHRAN was killed and he was well liked. He had gotten along with the company from the very beginning, and it was almost a year and a half then, and very possibly they could have.

Q. Now, Lieutenant COCHRAN was not around the 1st Platoon.

A. He had charge of the one platoon.

Q. I am talking about when he was killed.

A. I still think they could have taken it out on somebody else.

Q. How did they know about it?

A. It came across the radio.

Q. The whole platoon knew about it?

A. Yes.

Q. Everybody got mad about that?

A. Definitely. In Hawaii he was the 1st Platoon platoon leader.

Q. Did you have any indications that Lieutenant WILLINGHAM gave any orders which could be understood as bringing noncombatants under fire?

A. No.

Q. Do you have any feeling there could have been any excuse?

A. No, sir, nobody said anything like that at that time.

Q. When you heard the other members of the platoon talking about what happened in that village, did they

indicate the type of kills there were in there?

A. No, sir. They just said we killed some people, and they didn't say whether it was men, or women, or children.

Q. Do you know there was a child shot in the head while in its mother's arms?

A. No, sir.

Q. Did you hear that MILUS cut a woman in half?

A. No, sir.

Q. There would be no reason to protect MILUS now.

A. I know that. I didn't hear anything like that.

Q. You didn't hear anything like that?

A. No, sir.

LTC NOLL: This operation of explosives, explosives in the tunnel, what was the purpose of this?

A. In case anybody tried to come out with a weapon and tried to hit somebody with it.

Q. You also indicated this was the first time they had done it exactly like this?

A. Yes, sir.

Q. I am trying to separate in my mind why they did it this way.

A. That is my idea, it was for protection. I can't think of any other reason it would have been done.

MR WALSH: You didn't hear that they shot anybody that came out of the tunnels, did you?

A. No, sir

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Q. Did anybody ask the second squad for their handgrenades while you were back guarding the bridge? Did you have to pass your handgrenades forward?

A. Yes, sir. I made my men keep a few of them just in case.

Q. Who called for them?

A. I can't remember. I think it was TAYLOR. I can't be positive about that.

Q. What did they do with those?

A. I have no idea. Probably used them on the bunkers.

Q. Who was the medic with the platoon?

A. I can't remember his name.

Q. Did he say anything about--did you ever hear about him treating a boy who had a shoulder injury in that village the first day?

A. No, sir.

Q. I don't have any other questions.

A. I remember the medic was from Boston. SILVA was his name.

COL WILSON: Did you ever hear of a Vietnamese woman with a large neck wound that was found the next day up on that ridge? She was buried by the Americans up there?

A. No, sir.

Q. In fact, I believe she was buried by--she was either buried or found by MAHR. I don't know if you remember him or not.

A. He was in the weapons platoon. No, I didn't hear anything like that.

Q. Several saw her. It could have been one that you were talking about up there, because she was up there on that ridge?

A. Also a Vietnamese had taken most of the bodies away during the night.

Q. You say you didn't see any people around there?

A. I said two or three on the ridge there.

Q. After you went into the village--I was trying to find out if you saw any people in there after all of this had taken place, coming back to the village?

A. No, sir. I think they would be afraid to if we were out on the beach.

Q. I had a witness yesterday from the 1st Platoon that built up the situation on the bridge with a squad on the other side, prior to crossing and everything. And he indicated that later on, sometime that day after they got into the village, he and three other men were sent out on the beach to secure the beach side, to act as a security force out there. Do you know an element that went out on the beach?

A. No, sir.

Q. It could have been before you went forward.

A. It could have been.

Q. He said there were 10 to 15 people that went, and I thought he said he stayed out there until 1400. He said there were 10 or 15 people going back, that they had checked their identification cards and they went back over into the village, but you did not see any Vietnamese coming back in there?

A. No, sir. The only one I saw was the one that TAYLOR had.

Q. She moved off with you?

A. Right, sir.

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LTC NOLL: Let me review one thing for my benefit. You said fire started coming over your head and that is when that point started firing?

A. Yes, sir.

Q. Was the fire intense for a little while or what is the sequence?

A. It was very intense at first and then it was scattered.

Q. How long was it scattered?

A. Five minutes, and you could hear a few shots and that was it.

Q. Did you hear the demolition going on?

A. Yes, sir. That was about the same, about every 4 to 5 minutes.

Q. There was a continuance of this after this detonated--the demolition work started?

A. Right, sir.

Q. How long did this continue?

A. Just before I went in.

Q. They got in the village by 0930 or 0945, and this continued?

A. For about 5 minutes.

Q. The intense fire continued for 5 minutes?

A. Yes.

Q. And the intermittent fire continued until when? When did you go into the village?

A. Approximately 1100 or 1130.

Q. You stayed up that night and nothing happened that we know of.

A. It was very quiet.

Q. Nobody stayed down there by that bridge, did they?

A. No, sir.

Q. When you left that bridge this night or that day, how was it--or what reasons could that platoon have for leaving the bridge instead of securing it?

A. I can't remember any reason. Lieutenant WILLINGHAM had us move forward to the north to recon by fire, and then they had to call the swift boats, I think we were intending to stay at the bridge site that night, but the swift boats prevented it.

Q. Because of that delay that you got up there?

A. Yes, sir.

Q. You think that is what caused it?

A. Yes, sir.

Q. Did you know at the time you left there that the company was coming over the bridge the next day?

A. No, sir.

Q. Did you know that the platoon was going back over the bridge?

A. I figured we had to go back over it, because that was the only way off. It was either heavy mud flats and the wrecked bridge or that one bridge.

Q. Did it seem odd to you?

A. It seemed odd. If we had not met the swift boats, we could have gotten back.

Q. Do you know if that was intended?

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

Q. The next morning you moved out. Point out again what is the order of march?

A. I can't remember, sir. I don't think I was in the lead. I think I was in the rear at this time.

Q. TAYLOR had that woman out there again?

A. Right, sir. He got down to the edge of the bridge, and I don't know exactly what happened, but TAYLOR lost a foot.

Q. What do you know about that when you got down to that bridge?

A. I remember having a helicopter strike called on the village before we got to it.

Q. What about TAYLOR?

A. This was before he lost his foot. It seems to me I remember that, because the helicopter came too close to us and put some rounds 10 feet to the right of us where we were lying down in the trail, and started in again. I couldn't see the bridge from where I was. From what was told to me, TAYLOR went up and was checking the bridge out. He looked down and started to go back on one foot and it went off. It knocked him down, and some men thought it was a command-detonated mine.

Q. Where was that woman?

A. He had released her.

Q. Where did she go?

A. I think she went back into the village.

Q. How long had she been released?

A. Five or ten minutes at the most.

Q. Could you see her after TAYLOR was wounded?

A. No, sir. I don't remember seeing her after he was wounded.

Q. Now, we don't have anything about the gunships in the report form, but we got the log indicating that one was wounded at 0810, that was TAYLOR. That is 0810 in the morning. A log entry indicates at 0840 the platoon received sniper fire.

A. I can't remember sniper fire.

Q. It's important to know what the sequence is on this particular thing, because we are wondering if the mine triggered--or mine explosion, if this caused the sniper fire? Or if all of this had taken place and then TAYLOR was fooling around with the mine?

A. It seems to me we did call in gunships.

Q. We are sure that gunships did come in. We want to know what the basis was.

A. I was still on the trail when the gunships came in and they almost got a couple of my men. One of the men--one of the bullets landed right between the man's legs. And it was after that that TAYLOR lost his leg, because the colonel came in and took him and picked him up, and I saw the colonel coming in.

Q. You are sure that the mine was detonated after the gunships made their runs?

A. Right.

Q. What was the reason for calling the gunships in?

A. I think to clear the village, to make sure there were no enemy in there.

Q. Had they received any fire from the village?

A. I didn't hear any from where I was in the back of the column.

Q. This does not follow as far as the log (Exhibit M-16) entry goes.

A. It was quite a bit of brush in here and the platoon was spread out similar to this (indicating).

Q. In other words, you were in a column?

A. A file.

Q. Along the river?

A. Right, sir.

Q. You were facing south and the river was on your right and your squad was in line? Is there a little road there or something?

A. There was a little trail following from here to here (indicating).

Q. It runs along the west back along the peninsula?

A. Right, sir.

Q. And you were at that location when the gunships began to fire?

A. Right, sir.

Q. This will be point 5.

A. The reason I remember it this way, I was up where I could see the beginning of the village and I could see where the colonel's chopper landed.

Q. You are sure that the gunships' run was before TAYLOR was wounded?

A. Yes, sir.

Q. Not after he was wounded, but before he was wounded?

A. Yes, sir.

Q. No question in your mind about that?

A. No, sir.

Q. How many runs did the gunships make?

A. There were two gunships and they each made one run. The second gunship almost hit us, so they called it off. The fire hit to our right. Like I say, one round hit right between this man's legs. In fact, I was splattered with mud from where they hit.

Q. Were these miniguns?

A. I don't know. I think it was a machinegun that the doorgunners use.

Q. And you identified Colonel BARKER as coming in?

A. I saw the ship, but someone said it was the colonel. It was not a normal medevac.

LTC NOLL: How much time elapsed from the time he stepped on the mine until he was there?

A. Five to ten minutes.

Q. And TAYLOR had not reached the bridge by the time these gunships began to fire?

A. No, sir, not to my knowledge.

Q. Do you have any knowledge of whether this woman-- did she go into this village after the gunships made their run?

A. I didn't see her after TAYLOR took point.

Q. Do you recall how she was dressed?

A. No, sir.

Q. Could you recognize the individual in this Exhibit P-210?

A. No, sir.

Q. We had some testify that when B Company came across the bridge, they came across with some ARVN soldiers, and that this woman that TAYLOR had was turned over to them?

A. I don't remember, sir. The last time that I remember seeing the woman is the morning that we pulled out from our night laager position.

Q. Was there at the time or prior to the gunruns by the helicopters any fire placed on this village from the 1st Platoon?

A. Not that I remember.

Q. Were these gunships reacting to the requirement of the company or to the 1st Platoon?

A. Probably to the 1st Platoon.

Q. What do you think the location of the company was at the time these gunships were firing?

A. They were on the other side of the bridge, I know.

Q. Could you see them?

A. No, sir.

Q. How do you know?

A. Because they crossed the bridge later, after TAYLOR was wounded.

Q. Let me ask the question again. How far do you think the company was from the bridge at the time the ships made the gunrun?

A. As a guess, I would say they was quite a ways.

Q. When the gunships made their run, how long after that was any fire delivered by the platoon on the village?

A. I can't remember any being placed, sir.

Q. At the time the gunships made the run, what was the period of time before B Company crossed?

A. I'd say at least half an hour.

Q. Did you see the area where CARTER was wounded?

A. You mean TAYLOR?

Q. Yes.

A. I saw it later, and quite a big slab of stone had been lifted off the end of the bridge. There was a good size hole, a foot deep and a foot across.

Q. What size explosion do you think this was?

A. I couldn't tell.

Q. Was this on the trail or off to the side of the trail?

A. It was right on the side, right where one of these bridge abutments came down and ran into the ground.

Q. Where the abutment came down?

A. The bridge is like this. They had an abutment and it was right here (indicating). The bridge looks something like this and this was right in here.

Q. It was just off to the side?

A. Right, sir.

Q. Was there more than one mine there?

A. I don't know, sir. Nobody ever said anything about it and nobody ever stepped on another one there.

Q. Was there any attempt made to check further, to sweep around there and see if there were any more?

A. Not by anyone in my squad.

Q. Do you recall seeing a couple of demolition experts coming up there later?

A. No, I can't remember them coming up. I remember them being with the company. I don't remember them being there.

Q. Do you recall whether or not this area was covered by the platoon the day before?

A. That was almost exactly the area where quite a few of us set up a perimeter.

Q. And am I correct in assuming that mine was placed there that night?

A. That night or early in the morning before we got there.

Q. Are you reasonably sure of that?

A. Yes, sir. I was walking around that end of the bridge here. We were right there, and I was walking back and forth, and the machinegun was set up here on the northern side of the bridge (indicating).

Q. You spent an hour and a half down there, didn't you?

A. Right, sir.

Q. As the company was crossing, was there any fire received on that bridge?

A. No, sir, not that I can remember.

Q. Do you recall a helicopter coming that day into the village?

A. The only one was the one that picked up TAYLOR that I can remember.

Q. Do you remember a helicopter coming in and bringing Lieutenant MUNDY and Lieutenant LEWIS?

A. I think that was later and further down the coastline.

Q. You do remember them coming in that day?

A. Right. I can't remember whether Lieutenant MUNDY or Lieutenant LEWIS was a replacement for Lieutenant COCHRAN.

Q. Do you remember a photographer coming out there with them that day?

A. No, sir.

Q. We understand that the company crossed over and closed over to the other side of the bridge, and the 3d Platoon remained there. The 1st Platoon and the 2d Platoon moved south along the coastal area, with the 2d Platoon on the beach and the 1st Platoon on the riverside, is that right?

A. That is right, sir.

Q. Now, at that time did anything else occur in that village, before you left to move south?

A. Not that I can remember.

Q. Was there any contact, or fire fight, or any action while the company was crossing?

A. Not that I can think of at all.

Q. As you moved south it was reported at 1000--it would have been on the 1st Platoon's side--that there were booby traps. Six booby traps or mines were destroyed. Do you remember anything that happened?

A. No, sir. We made frequent stops along the way, but I don't remember. Again, I was at the rear of the column.

Q. You were?

A. Yes.

Q. Was the order of march the same as it was coming down from the laager area?

A. Right. We usually stick with the same order of march unless something tragic happens.

Q. Do you recall the river out to your right as you were moving down? Do you recall some element taking a boat under fire, a sampan or some kind of a boat with 10 or 15 people in it, that were trying to get away?

A. No, sir, I can't recall that.

Q. You don't remember anything about that?

A. No, sir. I don't remember any firing for the rest of the day.

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Q. None at all?

A. No.

Q. Do you recall whether the ARVN--did you see any ARVN soldiers that day?

A. Well, yes. Later on as we got further down, I saw them in the different villages that we checked out.

Q. How about National Police and interpreters, did you see any National Police or interpreters that day?

A. I saw them, two of them with us in white shirts.

Q. You moved on south. Was there much demolition being used?

A. I remember one time I found an artillery round in a hootch and had a demo man blow it up. I think that may have been another time.

Q. What kind of round?

A. A 155.

Q. They blew it up in the hootch?

A. Yes, sir.

Q. Where was this location? I am talking about the distance from the bridge south. Was it halfway or all the way down?

A. I can't be positive.

Q. I know that.

A. It was right before we got out of the wooded area. I'd say it was--I'd say 700 to 800 meters from the bridge.

Q. This would have put it in the area where it says destroyed six booby traps or mines. It could have been what was destroyed there.

A. It could have been.

Q. Did you find anything besides that one round?

A. I didn't. I don't know about anyone else. We did see quite a bit of smoke. We were burning quite a few hootches going down there.

Q. This was about--according to the map there were three major villages going down there.

A. Right.

Q. Were all of those burned?

A. Yes, sir.

Q. Did you ever hear an order going down or coming back that day to stop burning?

A. I didn't hear an order. We stopped burning where it turned into a beach. We didn't burn any hootches here (indicating).

Q. And going down, I never did get an answer on the demolition as to whether these bunkers were being demolished.

A. I couldn't tell you, sir, whether--

Q. (Interposing) You don't remember seeing any of them smoking like you did before, or caved in?

A. No, sir.

Q. Do you remember seeing any people?

A. Yes, sir. There were quite a few people south.

Q. From what village?

A. The one the platoon was in before.

Q. You mean the village where the action took place the day before?

A. Right. After we got out of there and got into those three other villages, there were people.

- Q. South of the village which was destroyed?
- A. Right.
- Q. What you are telling me was--it shows up on MAP-4 as My Khe (4). After you left there you went through Co Lay (1), (2), and (3) and destroyed those.
- A. This one was on the beach. We didn't destroy this.
- Q. You didn't destroy Co Lay (3)?
- A. No.
- Q. My Khe (4), is that what was destroyed?
- A. Yes.
- Q. You are talking about two villages then or main villages east on the map?
- A. We were burning almost everything up to about here (indicating).
- Q. You are talking about between grid lines 76 and 78?
- A. Right, sir.
- Q. You were burning everything in that area?
- A. Right, sir.
- Q. Was this a platoon requirement or how did these instructions come down? Was it broken down to a squad to do this job?
- A. I don't think anybody got any instructions at all. I think we went through and somebody started doing it and everybody took it up.
- Q. Well, you don't remember the squad leader giving any instructions on it?
- A. No, sir.
- Q. Was the company commander following the 1st Platoon?
- A. I think so, sir.

Q. You could see this was going on?

A. Yes, sir.

Q. I show you Exhibit P-212. Do you recognize that scene in that photograph?

A. Yes, sir. That is the southern end of the peninsula, in the southern tip.

Q. This is the village. This represents a village. Did you say that you burned or did not burn that one?

A. We did not burn that one.

Q. Any people down there?

A. Yes, there were quite a few down there and there were quite a few going across to the other side of the river.

Q. I don't think I have this clear in my mind. You said after you left the village you said was destroyed, which we determined to be in the vicinity of My Khe (4), that you thought you had seen people, but you didn't see them back in that village of My Khe (4)?

A. No, sir.

Q. Did you see many people as you moved south?

A. Not at first, until we got down to this last village.

Q. That is where you saw most of the people.

A. Right, sir.

Q. What happened down there?

A. We rested there for approximately 45 minutes and searched it. I think everybody had gotten over their madness of Lieutenant COCHRAN. They were not too bad on people, really. I know I ate there. I don't know about the rest of the platoon.

Q. What time do you think you got down there?

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- A. I'd say about 1000 or 1030.
- Q. You stopped back at that point?
- A. Right.
- Q. And no more burning after that?
- A. No, sir. It was right on the sand.
- Q. And they arrived there about what time you said, either 1000 or 1030?
- A. I think somebody said the burning was going to stop because it was too hot.
- LTC NOLL: You were down there by 1030?
- A. I believe so, sir.
- COL WILSON: Now, there was another report that was rendered and this might have happened out in the 2d Platoon area at 1720. The 2d Platoon engaged two VC and one VC KIA. I don't know whether this was going down or coming back.
- A. I can't remember any shooting that whole day.
- Q. This would have been out on the beach.
- A. I think I would have heard it if it had happened.
- Q. It sounded to me like you got down there kind of early.
- A. It had to be about that time, because we moved all the way north the rest of the time available until we laagered.
- Q. Don't let that influence you, because I didn't think you laagered where you think you did. Where do you think you laagered?
- A. Approximately right in here (indicating).
- Q. That is the next night.

- A. That is the night that MILUS was killed?
- Q. That was not this night.
- A. No?
- Q. You lost a night there. You came about halfway back up the peninsula and laagered.
- A. I can't remember when we laagered. I thought MILUS was killed on the 17th.
- Q. You got about halfway. This is where you laagered that night (indicating).
- A. I can't remember anything about that night, sir.
- Q. As far as we can determine there was not a lot to remember. The 3d Platoon stayed up at the bridge all night long after you moved out. The 3d Platoon and mortar platoon stayed up there, and the rest of the company moved south and came about halfway up. The mortar displaced to the company perimeter, the company laager. And the 3d Platoon stayed up there on the bridge. You don't remember anything unusual about that day?
- A. No, sir, and that would put us in there close to 1235, I'd say.
- Q. Where?
- A. At the bottom of the peninsula.
- Q. The report made at 1320 by the 2d Platoon--I still don't know if they were going or coming at the time according to your estimates of time. I had been under the impression they were going south. That means that you would have been 400 or 500 meters from the end of the peninsula at 1320.
- A. I can't remember anybody firing that day, sir.

Q. You moved on back and moved into a laager that night. You got a hot meal and resupply?

A. Probably, sir. I truthfully do not remember that night at all.

Q. And then you proceeded to--the next morning you moved back up to the bridge and picked up the 3d Platoon. They had found a couple thousand pounds of rice. They were making arrangements to evacuate it out and up into the area to the north where a big medevac was held.

A. That is right.

Q. And I think that the platoon scrambled around and brought them back to the beach?

A. That is right.* The 1st Platoon moved almost all the way up to the northern edge and started pushing people down to the medevac, I remember that.

Q. Where did the 1st Platoon move?

A. They moved up along the beach. I think I had half of the platoon and the rest of the platoon moved inland a little ways, and the platoon was all over here (indicating).

Q. At 1135 the log (Exhibit M-16) shows there were about 1,000 people in that area and they did not appear to be VC. The MEDCAP was coming out and all, this MEDCAP went on all day. Did you see any Vietnamese?

A. Yes, sir. The ones that were still with us from the day before.

Q. Did you see any American military intelligence personnel out interrogating?

A. I can't remember any being out there, sir.

Q. Did you see any interrogations going on?

A. No, sir.

Q. Did you see any artillery fires, friendly fires or marking rounds fired late that day?

A. Yes, sir. When we finally got to our laager position, they were marking rounds around us. They were on the other side of the river.

Q. On the other side of the river?

A. It looked like it to me, because there was a village not too far north of our laager position.

Q. Did you see a woman brought in with a leg all split open on this evening?

A. No, sir.

Q. You didn't see any interrogations going on that evening?

A. No, sir, not that day.

Q. That night the sequence as we have it is 0130, one killed and five wounded; 0144, dustoff requested; 0240, dustoff completed. And at 0250 "Spooky" was requested, and at 0240 and 0440 other mortar rounds came in. Do you remember that?

A. No, sir.

Q. That is what was reported.

A. I take it back. We did have some rounds drop to the north of us, and it looked like an abandoned coconut grove.

Q. What kind of rounds?

A. Smoke rounds, marker rounds.

Q. Is there anything else on the sequence that I have covered that is not up there?

A. Not that I can think of, sir. It seems like it was a lot closer together. The action started about 0130 and lasted until that last round at 0440. We were up the rest of the night, I know that.

Q. Any small arms fire with that?

A. I didn't hear any, sir.

Q. The next day, did anything significant happen that you can recall?

A. Yes, sir. A group of volunteers went to where they thought the mortars came from and they found the imprint of a base plate. It led into the village north of us, and we found two males of military-age in the village. We didn't have any Vietnamese interpreters with us. STRACHAN had taken over MILUS' machinegun and was wearing his helmet. He took his helmet off and hit them both in the stomach, and was yelling and screaming at them about killing MILUS.

Q. This village, was that An Ky or Ky Xuyen (2) or which village? Could you identify it on the map?

(Witness indicates.)

You are pointing to the village which is probably Ky Xuyen (1) along the coast there. You say STRACHAN let these two VC suspects have it?

A. Yes, in the stomach with the helmet.

Q. We had a report that at 1230 one VC suspect was picked up?

A. We had two of them, because we brought them both back to the company perimeter and turned them over to the Vietnamese.

Q. What happened to them then?

A. They proceeded to beat on them and question them, and I don't know what information they got out of them.

Q. Was it the National Police or the ARVN?

A. I saw the National Police beating them up. I don't know about the ARVN.

Q. Did you see any American intelligence personnel there?

A. There may have been.

Q. Did you ever see this person in Exhibit P-215?

A. That looks like one of the two we picked up. It's definitely one of the two we picked up.

Q. Both of them were beaten up?

A. Right.

Q. Does he look like the one who was beaten there?

A. It looks like it was before, because I am pretty sure his nose was broken during the beating.

Q. This was the beating given to them by the National Police?

A. Yes.

Q. What did they beat them with?

A. They used fists.

Q. I understand, or we had reported that one of these VC suspects got away later?

A. I don't remember.

Q. At the time your squad went out there to find a position, how far was that position from the laager area?

A. I'd say 200 to 250 meters.

Q. Did you hear anything about any other interrogations or mistreatment of prisoners beside this one.

A. No.

Q. Did you hear anything about rapes up there?

A. No, sir.

Q. Did you hear anything about rapes in any other areas?

A. No, sir. Only what I have read in the newspaper since then.

Q. I was talking about B Company?

A. No, sir. I don't remember hearing anything about it. If anybody would do anything about that, they would keep it quiet.

Q. What was the penalty?

A. You had to go on trial for it. I think Captain MICHLES was very strong on something like that, and he would be sure you went on trial for it.

Q. Well, anything else about that day that you can recall?

A. No, sir, that is it.

Q. I am going to ask you to sign this if this is basically what you have testified.

A. It's everything, just as I said.

Q. All this on here is on the first day.

A. Right, sir.

Q. If you would sign that under the statement there.

(The witness signed the map as directed.)

This photograph is introduced as Exhibit P-229. This photograph is concerned primarily with the overall movement as you described it and I put under here: "Prepared from memory on 16 February 1970." Would you sign under there?

A. Yes, sir.

(Signed as directed.)

Q. And this photograph will be entered as photograph Exhibit P-228.

Do you have any knowledge of any investigations or inquiries made after this operation?

A. No, sir, nobody ever talked to me about it in an official capacity.

Q. Do you know if there was ever an order coming down to stop the burning?

A. No, sir.

Q. Stop the killing?

A. No, sir.

Q. Cease fire, or anything like that?

A. No, sir.

Q. Did you have a camera?

A. No, sir.

Q. Do you know of anybody that did?

A. I can't think of anybody.

Q. Do you have any documentary evidence such as a tape recording or orders or anything?

A. I think I might have some letters at home of what happened.

Q. Letters?

A. Yes, sir.

Q. And were these letters--who were these letters written to?

A. My parents.

Q. What did you describe in these letters?

A. I usually described what happened on an operation after it was over to let them know what happens. I was thinking of writing a book at one time on Vietnam, and that was the best way to keep documentary, factual information.

Q. Would it be possible for you to send us the letters or a copy of the letters in order to fix the times,

dates, and places? We can do this one of two ways; you can send the letters and we will make copies of them and send them back to you, or you can make copies and send us the copies.

A. I think it would be better if I sent you the letters.

Q. We will give you an envelope with our address here and Major THOMAS will get them back to you. We will run them off and get them back to you. We are interested only in this time period, those 3 days and the briefing. We don't want to read your mail, only those portions of the letters that deals with the operations. That means if you have anything personal, you don't have to send the other part of the letter.

A. Since it was to my parents, it wouldn't have that much.

Q. This is up to you.

A. There is no problem in that.

Q. Those descriptions which would have been made at the time are the best information we can get.

A. If I would be able to stop off at home, in Tucson.

Q. I'm sure we can arrange that. You don't know if they are there or not.

A. Whether my parents threw them out or not, I can't tell.

Q. I'll tell you what to do. When you get through here, we'll get you a phone call home and let them look for them today. You come in here in the morning and we will get you another phone call home and see if they have found them. If they find them, we'll divert your travel back there.

A. That would be fine.

Q. And you tell them where you think they are and--

A. (Interposing) My mother knows where they are.

Q. Then will you come back here in the morning, and if this is the case, if those letters are there, then I think we had better route him back through there so that he can pick them up and mail them to us.

A. Yes, sir.

Q. Any other documentary evidence that you have that would be of interest to us, photographs and such as that.

A. I was not taking many photographs.

Q. Did you hear any rumors of unnecessary killings by B/4/3 or 1/20?

A. Not that I know of.

Q. Were you ever told not to discuss possible unnecessary killings of civilians?

A. No, sir.

Q. Was marijuana a problem in the company?

A. No, sir. We had a few people who did try it a few times. It was no real big problem.

Q. Did it have any effect on the combat operations?

A. No, sir. I don't think anybody smoked it on operations.

Q. Aside from what you have described to me as happening up there in the area to the north, do you know of any U.S. or ARVN torturing of the VC suspects?

A. Except for the beating, that is all that I can think of.

Q. You didn't hear of any of them getting their fingers cut off or anything like that?

A. No, sir.

Q. What do you know about FERNANDEZ?

A. He was a Cuban descendent. His family came to this country just after CASTRO took over, before he closed it off. And they made him RTO even though he did have a bad Spanish accent. Once in a while he would relapse into Spanish when he got excited.

Q. He was a good RTO?

A. Yes.

Q. Do you think he is an honest man?

A. I think he is fairly honest, yes, sir.

Q. He is the one that described seeing these 15 to 20 women and children--

A. (Interposing) I'd say if he saw them, he saw them, sir.

Q. You didn't have any control over MILUS' machine-gun during the operation the first day?

A. Not after we got across the bridge and he went into the village.

Q. You don't recall him being put into action on the west side of the bridge?

A. No, sir. I got back control of him that night and put him in my defensive area, and that is when he--we were placed outside the cover of the trees. Somebody must have watched us dig the foxholes, because he got the first mortar round right in the foxhole with him.

Q. Do you have any further statements or further testimony that might assist General PEERS in this investigation?

A. No, sir.

Q. I didn't ask you if you had ever been questioned. I think you stated that you had never been questioned officially. Do you know of anyone who was ever questioned?

A. No, sir.

Q. Specialist LINKOUS, you are ordered not to discuss your testimony in this case with others, including other witnesses for this investigation, except in performance of official duty or as you may be required to do before a competent legislative, administrative, or judicial body. Do you understand?

A. Yes, sir.

Q. I do want you to get with Major THOMAS after this. You will have to set him up for a long distance phone call and get your phone call through, and make it a time in the morning. Remember we have a different time element.

A. I'll make it 10 o'clock tomorrow morning and that would be 7 back home. They are fairly early risers.

COL WILSON: The hearing will recess.

(The hearing recessed at 1619 hours, 16 February 1970.)

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SUMMARY OF TESTIMONY

WITNESS: LIAS, Roy L. SSG

DATE OF TESTIMONY: 13 January 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: Squad Leader, 1st Squad, 1st Platoon, B/4/3, Task Force Barker.

1. BACKGROUND INFORMATION.

The witness came with the unit to Vietnam in December (pg. 9). In Hawaii prior to departure Lieutenant COCHRAN was his platoon leader (pg. 9). In March of 1968 Lieutenant WILLINGHAM was his platoon leader (pg. 3). His company commander was Captain MICHLES (pg. 18). The witness participated in numerous search and destroy operations while in country (pg. 8), and he discussed an operation of the unit which occurred in February or early March in which they were pinned down in a graveyard, his platoon leader got hit, and APC's came in to assist in their withdrawal (pg. 16, 17). On 12 February, the witness was wounded by a small fragment. He was not medevac'd and stayed with the unit (pgs. 35, 36).

2. PRIOR TRAINING IN RULES OF LAND WARFARE.

Prior to going to Vietnam, the witness received training in the handling of prisoners of war and noncombatants (pgs. 3, 4). He stated there was no particular difference between the treatment of noncombatants and prisoners. They were trained to conduct the five S's (pg. 4). He did not recall receiving a lecture on the legality of orders (pg. 4). He was trained in the Geneva Conventions in his basic training, AIT, and in annual classes (pg. 4). Upon arrival in Vietnam, they went through approximately seven days of training in the Duc Pho area (pgs. 4, 5). The classes were in detecting land mines, and handling of prisoners (pg. 4). He did not recall a lecture by any legal officers during this period

(pg. 5). The witness did not think he had seen Exhibit M-2, "Nine Rules" (pg. 5). He said that they were issued some cards while they were in training in Vietnam (pg. 5). He could have been issued Exhibit M-3, "The Enemy in Your Hands" (pg. 6).

3. PREOPERATIONAL PLANS AND BRIEFINGS.

a. WILLINGHAM's briefing.

The witness felt that he was briefed at LZ Uptight and was told that they were going into an enemy stronghold (pg. 6). He believed that Lieutenant WILLINGHAM briefed the entire platoon (pg. 7). He did not recall specifically having a map (pg. 8). The witness stated it was a search and destroy mission, the first he had been on, and they were supposed to destroy the villages (pg. 11). They were not supposed to burn houses or hootches (pg. 11). The witness later stated that the mission did not seem unusual and mentioned they were to burn the hootches to break down the morale of the enemy (pg. 19). They were supposed to round up foodstocks for helicopters to pick up, but they were not told to destroy animals (pg. 12). He stated that on their operations, they were never involved with livestock (pg. 13). They were to apprehend suspects, leaving behind civilians or noncombatants (pg. 13). Usually, they would take the male suspects, tag them, and eventually send them to the rear (pg. 13). The people were passed back to the platoon leader normally (pg. 14). The witness did not recall Captain MICHLES or any staff officers being present at the briefing (pgs. 19, 20).

b. Attitude of the platoon.

The witness, having been told that they were going into a confirmed stronghold with quite a few enemy, felt they were entering "sure death" (pg. 14). He stated that the attitude was about the same toward this operation as any other (pgs. 14, 15).

4. COMBAT OPERATIONS, 16-19 MARCH.

a. Flight into the area.

The witness stated he was not on the first lift that left from LZ Uptight (pgs. 20-22). They flew in the direction towards the peninsula (pgs. 20, 21). The platoon was positioned facing each other on the inside of the aircraft.

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He heard no firing when he got off the aircraft (pg. 23). He did not recall seeing any artillery fire (pg. 21) and did not recall whether the doorgunners were firing or not (pgs. 21, 22).

b. Landing zone.

The witness said the landing zone was an open field with a permanent trail running through it and a hedgeline (pg. 22). He did not recall a big hill near the landing zone nor did he recall a graveyard (pg. 22). He did not recall seeing Road 521 (pgs. 22, 23). There were a few enemy casualties near the landing zone, which he felt were from a prior artillery prep (pg. 23). One of the prisoners they apprehended had been hit (pgs. 23, 24).

c. Movement of the unit on 16 March 1968.

The witness recalled moving up to a hedgeline and stopping there (pg. 24). He stated a helicopter came in to dustoff Lieutenant COCHRAN but he did not see the body. Members of the unit had already moved through the area where the land mines were located (pg. 24). He did not know if Lieutenant COCHRAN was killed in a graveyard (pg. 25). They moved through a small area picking up prisoners (pg. 25). They kept the prisoners with them, turning them over to the headquarters section (pg. 29). They were told to burn the hootches and destroy the food as they moved through the first hamlet (pg. 29). The witness was not one of the first people to go through the hamlet (pg. 31). He saw destroyed bunker complexes but did not see anyone throwing hand grenades (pgs. 29, 30). He did not recall seeing any dead VC nor did he recall if his platoon killed any (pg. 30). He stated that there were boobytraps in the area composed of waste material from unexploded government equipment (pg. 30). He saw a few dead bodies in the hamlet but saw no one shot (pgs. 30, 31). The point squad had gone first with the other squads following and bringing the people from the village out. There was no grouping of the people because the area was too small (pg. 31). The witness stated he never left the road and the people that he saw could have been the result of an artillery prep (pg. 32). He did not see any soldiers in the platoon abuse any of the women but stated he had heard that some other activities had gone on before he got there (pg. 32). He did not see the squad leaders or platoon leaders interrogating any of the people (pg. 33). Generally, he did not recall any incidents which occurred (pg. 33).

d. Activities on 17 March 1968.

The witness stated they moved in the vicinity of My Khe (4) and Co Lay (1) moving down a wood-like terrain toward the coast line (pg. 25). Initially, he did not recall crossing a bridge, receiving any sniper fire, or the exact date of their movement (pgs. 25, 26). After being refreshed on TAYLOR's wound, the witness recalled that TAYLOR was wounded by a mine or boobytrap near the bridge (pgs. 41, 42). He also recalled receiving sniper fire and having a fire-fight in the area (pg. 42). He stated he did not recall any gunships being brought into the area (pg. 42). He was in back of the squad that TAYLOR was in and it was north of the bridge at the time (pg. 43). He stated the rest of the company did not come across the bridge to join him shortly after TAYLOR was hit (pgs. 43, 44). He did not recall what direction they moved out in from that point (pg. 44).

e. Units' activities in the beach area on 18-19 March 1968.

The witness recalled arriving at a beach-type area where medics eventually came in and where they spent the night (pg. 26). He did not recall finding a rice cache on 18 March (pg. 44), nor did he recall a dustoff for three Vietnamese wounded by a boobytrap (pg. 45). He felt that the medics had come in the 18th, but was not sure of the date (pg. 45). He was not sure of the number of officers with the medical detachment (pgs. 46, 47), but recalled that there were some Vietnamese National Police with them (pg. 47). He recalled the Navy delivering some detainees that were fishermen in sampans off the coast (pgs. 47, 48). While these people were being questioned, his unit searched the sampans and nothing suspicious was found (pg. 49). Exhibit M-40 set the date of this Navy activity as being 16 March (pg. 48), but the witness was quite sure that it occurred on 18 March, the day before they left the area (pg. 49). From this area along the beach they were lifted out by helicopter either to LZ Uptight or to LZ Dottie (pgs. 46, 48).

5. INQUIRIES CONCERNING THE ASSAULT.

The first thing that the witness heard concerning an investigation was after his return to the United States (pg. 49). While in Vietnam he heard nothing of an investigation, knew no one that was interviewed, was not interviewed himself, nor did he see any senior officers from division or brigade asking questions about the operations (pgs. 49, 50).

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6. OTHER INFORMATION.

a. The witness felt that a few members of the unit were using marijuana but did not feel that people went on this operation while they were high (pgs. 50, 51).

b. He did not recall anyone in the squad or platoon taking photographs with a personal camera. Most of the people would carry portable radios, not cameras (pg. 51).

c. The witness did not recall seeing a photographer, or a PIO man, on the 16th or 17th of March (pg. 36).

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EXHIBITS

EXHIBIT NUMBER	DESCRIPTION	NOTES	PAGES
M-2	MACV Card "Nine Rules"	Wit thought he was issued card but did not recall this one.	5
M-3	MACV Card "Enemy in Your Hands"	Wit felt they could have been issued this card.	6
M-14	Task Force Barker log, 16 Mar 68	Reference made to 0845 entry.	24,25
M-16	Task Force Barker log, 18 Mar 68	Reference to rice cache and to a dustoff.	45
M-40	COMUSMACV msg 240125Z Dec 69	Reference to entry on Vietnamese in sampans.	48
P-17	Miscellaneous Scene	Wit recognized but could not locate the area.	37
P-20	Miscellaneous Scene	Wit felt it was of headquarters platoon personnel.	38
P-21 and P-22	Miscellaneous Scenes	Wit recognized but could not name one American soldier from MI.	39,40
P-23	Miscellaneous Scene	Wit identified MICHLES.	40
MAP-4	Map 6739 II	Used to orient the witness.	15,25, 34,45
		Wit used to locate spot of activity on a prior operation.	17

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(The hearing reconvened at 1530 hours, 13 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 Ray L. LIAS.

(SSG LIAS 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. Staff Sergeant, E-6, Ray Lee LIAS, Fort Benning, Georgia, 1st Battalion, 29th Infantry, 170th Infantry Brigade.

COL WILSON: Sergeant LIAS, before we proceed with any questions, I'd like to inform you of several matters.

This inquiry was directed jointly by the Secretary of the Army and Chief of Staff of the Army for the purpose of determining facts and making recommendations concerning the My Lai (4) incident of 16 March 1968.

In conducting his investigation, General PEERS determined that 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 18 March 1968. He, therefore, appointed this board referred to as Interview Team C, to question personnel of B/4/3, to prepare a complete description of the unit operations of the company. You may expect, possibly, General PEERS or other members of his board to join this group at any time during the interrogation.

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 the report will be confidential, it is possible that the 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 second series will inquire into the briefing prior to the combat assault which would probably have taken place on 15 March. And the third series will concern prior investigations or inquiries which may have been made into the task force operations during that period.

Do you have any questions on what I've said?

A. None at all.

COL WILSON: I want to emphasize that this board is not concerned necessarily with criminal actions. We're trying to reconstruct what happened, as far as B Company is concerned, on this particular operation. There are four members of this board who are authorized to ask you questions: Mr. WALSH on my right volunteered his services to the Secretary of the Army to assist General PEERS in his investigation; Lieutenant Colonel NOLL on my left is a member of the board; Major ZYCHOWSKI is a member of the board. They, from time to time, will be asking you questions just as I will.

Sergeant LIAS, I want to advise you now that at any time you want legal counsel, it will be provided; that any question that I ask, the answer to which may tend to incriminate you, you do not have to answer. Nor do you have to continue answering questions at any time that you desire to stop answering questions. If you desire, I will provide you or arrange for legal counsel to be present right now if you want it.

A. No, sir. I fully understand.

Q. If you do state anything that would tend to incriminate you, or place your position in jeopardy, this board will so inform you at the time and will at that time ask you again if you want legal counsel.

A. Yes, sir.

Q. Is that clear?

A. Yes, sir.

Q. What was your assignment on 16 March 1968?

A. Faintly remembering, sir, just another operation for us. We were on the fire base and got word that we were moving out.

Q. Wait a minute, let me ask you again. I'm interested in what your squad and platoon and company and battalion assignment was in March of 1968?

A. As far as I know, sir, we were to conduct a search and destroy mission.

Q. What was your job?

A. My position? I was a squad leader.

Q. Squad leader of which squad?

A. I think it was the first squad, sir.

Q. First squad of which platoon?

A. I'm with the 1st Platoon.

Q. 1st Platoon and of which company?

A. B/4/3.

Q. Was this company part of Task Force Barker?

A. Yes, it was.

Q. Who was your platoon leader?

A. Lieutenant WILLINGHAM, sir. Excuse me, sir, I had another--I'm not quite sure, he was. I think he was the one. I can't remember now, sir, which, because we went through a couple of platoon leaders.

Q. You think he was the platoon leader?

A. Yes, sir.

Q. Were you given any specific training regarding the handling of prisoners of war and noncombatants prior to going to Vietnam?

A. Yes, sir.

Q. Do you recall this training, what was it?

A. It was to conduct the five S's--to seize, to search, to segregate and so forth, sir.

Q. How about noncombatants? Was anything stated on noncombatants?

A. I can't remember any training, sir. It's just that all prisoners that were apprehended would go through the same methods, sir.

Q. Has anybody ever given you a lecture on the legality of orders or have you ever heard a lecture given to your unit on the legality of orders?

A. Not that I recall, sir. I don't think so.

Q. Or the Geneva Conventions, have you ever had any classes on the Geneva Conventions?

A. Yes, sir.

Q. Where?

A. Basic training, we had classes on the Geneva Conventions, also advanced training, and also annual classes on the Geneva Conventions.

Q. When you arrived in Vietnam, did you go through any special training?

A. Yes, sir.

Q. Where?

A. I think it was in the Duc Pho area, when we first arrived in Vietnam.

Q. What type of training did they give you?

A. For detecting land mines and what have you, and also the probing methods of detection, classes. I think it was on, the handling of prisoners and what have you.

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Q. You did have classes on the handling of POW's? Were you told to tag POW's or was this given you in any instruction?

A. Yes, sir, the method of tagging them, sir.

Q. Were there any lectures given to you by legal officers, JAG officers during the period you were in this training?

A. I can't recall, sir.

Q. How long did that training last, do you remember?

A. Offhand, I'd say approximately 7 days, sir. I'm not sure.

Q. The first card I show you here is Exhibit M-2 entitled, "Nine Rules." It's a facsimile of the card; this was in red. Have you ever seen this pocket-sized, wallet-sized card?

A. I'm not sure, sir. I couldn't say for sure. I don't think I have, sir.

Q. What about looking at the back page there?

A. This seems familiar here, sir. We were issued out some type of card when we were in training upon arriving in Vietnam. But I couldn't say exactly what it states.

Q. But you were issued some cards?

A. I believe we were, sir.

Q. And you were issued these cards while you were going through the training?

A. Yes, sir.

Q. When you processed into the country, did you go through a processing center of any kind, or did you just move in as a unit?

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A. We were processed on the ship en route.

Q. I see. You weren't issued cards on the ship?

A. I can't recall, sir.

Q. How about Exhibit M-3, which is entitled, "The Enemy in Your Hands." This is the front page and this is the back of it. Have you ever seen that card? You notice this card has some translations on it.

A. We were issued some type of pamphlet that did put the translations on it, yes, sir.

Q. Do you recall whether this was a card or a little booklet or what that you were issued?

A. It was a card, sir.

Q. Could this have been the card?

A. It could have been, I'm not sure, sir. It's faint in my mind about the pamphlets we were issued.

COL WILSON: Mr. WALSH?

MR WALSH: I don't have anything.

COL WILSON: Sergeant LIAS, I'd like for you to describe in detail the briefing you received before the assault on Son My Village. Do you understand what I mean by Son My Village?

A. Yes, sir.

Q. What was the briefing, what were you told, where, and under what circumstances?

A. I think the briefing came at LZ Uptight. The only briefing that I received was as to the area where we were to go. It was supposed to be a strong enemy stronghold and that we were assigned to go in to check it out more or less.

Q. Now this briefing, you say, was given on Uptight?

A. I think it was, sir.

Q. Was your whole company on Uptight at that time, Bravo Company?

A. Yes, sir, all except for the -- our forward trains and rear trains and supporting personnel, sir.

Q. None of B Company was on Dottie?

A. We have personnel on Dottie, sir. But like I say, as far as the platoon, I think we were all assembled there except for the support personnel, the supply, and what have you.

Q. Do you recall this time period very well in your mind, the middle of March?

A. No, I don't sir.

Q. Can you relate this to any other event so that we'll be sure we're talking about the right operation?

A. No, I couldn't sir, because that was mainly one of our fire bases that we occupied, and as far as relating it, I don't think I could relate it.

Q. Well, at this briefing who briefed you, who was the briefer? Was it the platoon leader? Was it the company commander?

A. I think it was the platoon leader that briefed us, sir.

Q. Did he brief the squad leaders or did he brief the whole platoon?

A. Well, usually whenever we went out, it was the whole platoon that got briefed. We more or less assembled at an assembly point before moving out, and we were all aware of what was going on. It broke down into where we were all aware of what we were doing.

Q. Did the platoon leader use any type of training aid or documents to show you where you were going, did he use a map?

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A. On the areas we went out to, we were mostly accustomed to the areas. At times we did have a map of the location where we were going and so forth.

Q. Did you have a map?

A. At times, yes, I had a map, sir.

Q. Did you keep a map all the time?

A. Not all the time. Sometimes it was left behind, damaged by water.

Q. Now the time that you were briefed, you say that you were briefed on a map?

A. I can't say for sure, sir, because not every time we went we were briefed by the map, sir. So I couldn't say for sure.

Q. How many combat assaults did you participate in?

A. I don't know the exact number, sir. It wasn't too many.

Q. Approximately? Are we talking about 5, 10, 15, 20?

A. I don't think it was quite that many. Most of our operations was the sweep-type and back to the fire base, sir.

Q. Search and clear?

A. Yes, sir.

Q. Well, now, are you talking about five combat assaults while you were in Vietnam?

A. I couldn't say for sure, sir. I never actually kept count of combat assaults.

Q. When did you go on R&R?

A. I think it was sometime in January or February.

Q. Well, now, you got to Vietnam in December, didn't you?

A. Yes, I did, sir.

Q. You went on R&R that fast?

A. Yes, sir. It came down for the unit. The R&R did come down fast.

Q. Well, if you went in January or February, where did you go?

A. Bangkok, Thailand, sir.

Q. Let me have the morning reports.

RCDR: Company B morning reports will be entered as Exhibit R-4, for the period 2 February 1968 through 26 March 1968.

COL WILSON: The morning report of 9 April 1968 shows that you departed TDY for 5 days R&R in Bangkok. Sergeant, this is approximately 20 days after this operation. Let me ask if you knew any of these people. COCHRAN, Roy B.?

A. Yes, sir.

Q. First lieutenant?

A. Yes, sir.

Q. Was he your platoon leader?

A. At one time he was. While in Hawaii prior to departing to Vietnam, he was my platoon leader.

Q. What happened to Lieutenant COCHRAN?

A. I think he stepped on a land mine, sir. He is deceased at this time.

Q. Do you remember where he stepped on a land mine?

A. Not the exact location, no, sir.

Q. Do you remember when he stepped on a land mine?

A. No, I can't recall it, sir.

Q. Were any of these men in your platoon?
CANTU, WILBURN, GUNTA, HITCHLEY, SHIFLEY, TRAVERSA,
BLEECHER, TAYLOR, BRUNSON, EBINGER, MILUS, RUSHIN,
ANDERSON, MILLSAPS?

A. Yes, sir, there's quite a few names. Some
of them I forgot, but there's quite a few names there I
do recall.

Q. That were in your platoon?

A. Yes, sir.

Q. Well, which ones were they? CANTU, WILBURN?

A. Yes, sir.

Q. They were in your platoon?

A. Yes, sir.

Q. Any of them in your squad?

A. No, I had, MILUS was in my squad.

Q. All right now, MILUS, what happened to him?

A. He got hit in a mortar attack.

Q. Where?

A. He was down at what we call the Pinkville area
on the peninsula. Right on the peninsula.

Q. You remember this?

A. Right, sir. I was the last one to talk to
him, sir.

Q. You were.

A. Yes, sir.

Q. We're going to come back to that later, but what I'm going to tell you is that date is 19 March. He died of wounds in the vicinity of An Ky. Now that's 19 March, which was about the termination date of the operation that we're talking about. Now when we're through here, and I doubt if we'll get through today, I want you to go with Major THOMAS and he'll show you some blank forms and I want you to try to remember who was in your platoon and your squad at the time, or anybody else in the company, first sergeant or company commander. Fill these forms out the best you can, and you can do that after we get through with how far we go today.

A. Yes, sir.

Q. Now I think we've got you fixed as far as the time that we're talking about. We're talking about an operation that took place right before this man was killed, within that time frame, that 3 or 4-day operation. Now I'm interested in going back to this briefing for a minute, and I want to ask you what you were told by your platoon leader -- your platoon leader did give you this briefing -- regarding the destruction of villages?

A. Yes, sir. We were supposed to destroy the villages. The type mission we were going on.

Q. What type of mission was it?

A. As far as I know, sir, a search and destroy mission.

Q. Had you ever had a search and destroy mission prior to this?

A. No, sir.

Q. Were you told to burn houses or hootches?

A. No, the only part of it was that when we swept through the area we were supposed to leave the houses.

Q. You weren't supposed to burn the houses?

(LIAS)

A. Yes.

Q. What about food stocks? Were you supposed to destroy food stocks?

A. That's affirmative, sir.

Q. It was?

A. Yes.

Q. Recover it or destroy it?

A. Actually, most of our missions we recovered most that we could and the helicopters picked it up.

Q. What about animals?

A. We never even killed any animals.

Q. You weren't told to destroy the animals?

A. No, sir. I don't think that there was anything in any briefing that I've been in about livestock.

Q. There wasn't?

A. No, sir.

Q. You don't remember ever being briefed to destroy livestock?

A. No, sir.

Q. But you were told to destroy food stocks?

A. Yes.

Q. How was this stated?

A. I can't say verbatim, sir, but this was one of the main--any large quantity of crops, anything that was in a small village was probably the resupply for an enemy unit. And we were supposed to destroy it or have it shipped somewhere where it could be redistributed in different areas.

Q. Could this instruction on the destruction of food stocks have been misunderstood to include animals, livestock, or were your people pretty well familiar with this type of operation, what to do?

A. Well, on our operations, sir, we were never involved with any livestock at all.

Q. What orders were given concerning the disposition of inhabitants in these villages?

A. Would you repeat that, sir?

Q. What instructions were given toward the handling of, or what was to be done with, the inhabitants of the villages that were the subject of the combat assault operations?

A. I was to apprehend the suspects, which I think we did, sir, because after we moved through the area, I recall we did have prisoners.

Q. Well, what did you do with those that weren't suspect?

A. Just leave them behind.

Q. Do you mean by that if you had Vietnamese that you didn't suspect of being VC that they were just left behind?

A. Yes, sir. On our operations we would get the male suspects. Like I say, we'd tag them, keep them with us until we could have a chance to send them to the rear, sir.

Q. Did you handle the ones that were not suspects, the civilians, or noncombatants that were not suspects? Did you just leave them alone, or were they moved into groups and kept in one place, or did you just allow them to wander around?

A. Well, there was different incidents. There was times we just allowed them to run around and whenever we was going to be around, round them all up in one group, sir.

Some of the villages were so small we never even bothered to round everybody up.

Q. Well, I'm not really trying to get into the operation yet. I'm just trying to find out what you were told to do with them and what you normally did with them. Did you have an SOP?

A. It was to form them all up to one specific location, go through and search.

Q: Did you turn them over to your platoon leader? I mean you, as a squad leader, did you pass these people to your platoon leader?

A. Yes, sir. He was normally in the location of the group and any time we found a suspect --

Q. (Interposing) The non-suspects I'm talking about, those who were not suspect, old women, and children, and old men, what happened to them?

A. As we swept through, we came up on a group, we'd send one or two people to take them back to the group. The rest continued.

Q. When you were briefed, what were you told about the enemy situation in this area?

A. Only that it was a suspected stronghold, a possible confirmed stronghold, that there were quite a few enemy in the area at this time.

Q. What did you think was going to happen when you stepped off that helicopter, from the way that the briefing was given you?

A. I thought we was going into a sure death, but it wasn't that way at all. It wasn't what I built up in my mind. All operations seem to strike me as the same thing. Anytime we go out we always expect the worst and hope for the better.

Q. Did this operation appear to leave you in any different attitude than the previous operations? Was this operation built up more than other operations or the same?

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A. About the same, sir. Like I say, any time we go out, we expect to get hit. Myself, I have the same attitude toward all of them, every time I leave the fire base.

Q. This operation didn't worry you any more than a search and clear operation?

A. No, sir, it didn't.

Q. Had B Company taken many casualties in January and February, early part of March?

A. There was probably casualties. I can't recall any great number.

Q. Did you lose any friends during that period?

A. No, sir. As friends, I knew most all the unit before we went over, prior to going.

Q. I understand that B Company had been in this area in February, do you recall?

A. Yes, sir, faintly. I know every time we would go out, we would move from the fire base out toward the peninsula area. That was one of our AO's.

(The witness was handed Exhibit MAP-4 and given an orientation on it.)

Q. So the enemy situation that was depicted in this briefing didn't impress you as being any different than any other operation when you left the fire base?

A. No, sir, it didn't.

Q. Do you remember the enemy unit that was supposed to be in this general area? I'm speaking of the Batangan Peninsula area and the Pinkville area?

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

Q. Do you recall the concept of operations of B Company, what the 1st, 2d and 3d Platoons were supposed to do when they conducted the combat assault?

A. As I was saying, just move through this one area here. I think we passed through this area, went all the way out to the beach area, more or less just swept right through.

Q. Were you supposed to stay with the company, were the two platoons supposed to attack, what were the other two platoons supposed to do while you were moving, do you know? What was the disposition of those forces?

A. More or less a blocking force.

Q. What was your platoon supposed to do?

A. Just sweep through this one area, when we got off the helicopter, in one direction, just--

Q. (Interposing) You had a direction to go?

A. Right. I don't recall.

Q. Did your platoon leader tell you how your squads were to be deployed? Were you supposed to sweep in three squads abreast or two squads with one in support, or were you moving in column or fire teams abreast, or what was the instruction you were given by your platoon leader?

A. We mostly travelled in platoon columns.

Q. In platoon columns?

A. Most every time we went out, in platoon columns.

Q. Is this what you recall as doing that day?

A. Right, sir. I believe it was.

Q. You went in platoon columns. Well, in other words, just first, second, and third squads following each other?

A. More or less, right, sir. I'm still kind of faint. I can't remember exactly.

MR WALSH: Sergeant, I wonder if you recall the operation and operations in February or early March with B Company, perhaps with some APC's, which went up this road into the

area north of Hill 85 and got pinned down by heavy fire, suffered a number of casualties in that area. Do you recall anything about that?

A. Yes, sir, I do.

Q. Were you on that operation?

A. Yes, I was.

Q. What can you tell us about it? From your recollection, what happened that day?

A. It's just that we were on a normal sweep and we got fired upon, and we were all more or less pinned down in a graveyard. As far as the casualties, my platoon, the platoon leader got hit, I know that. And we were pinned down there, I can't recall, for a period of time. And the APC's came in to assist us. We got with them and withdrew out, and later I learned that what the enemy was doing was intelligence, like they were trying to surround us and the APC's helped us move back out of there.

Q. Do you think you could find the approximate location of where you were that day on the map?

A. I can't recall, sir. I know it was on the highway here (indicating on Exhibit MAP-4), right over next to this highway, if I recall.

COL WILSON: 521 is the number that's on the map. Do you think that's the road?

MR WALSH: Do you recall Hill 85 being near where you were?

A. Yes, there was a mountain because that was the direction the fire was coming in on us.

Q. Do you happen to recall if the company commander was wounded in that operation?

A. Our company commander?

Q. Yes.

A. Not at all, sir.

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Q. What was your company commander's name?

A. Captain MICHLES.

Q. Had he been your company commander in Hawaii?

A. Yes, sir.

Q. Were there any other units operating with you that day, other than your company?

A. Yes, sir, there was another unit in that area. We linked up with them for the night. The next morning there was another unit.

MR WALSH: That's all I have.

COL WILSON: Sergeant LIAS, I am going to describe the operations that we understand were conducted, kind of brief you in on the area. Maybe we can get some details later. A Company supposedly moved overland and established blocking positions on the Diem Diem River on this side. They blocked this bridge and these causeways and they were there primarily to prevent the exfiltration of VC maybe moving north on the peninsula. C Company picked up at Dottie about 0710, 0715 on the morning of 16 March, nine slicks, two gunships, deployed south, came up west of My Lai (4) between the small stream here and the village and conducted a combat assault on My Lai (4). It took two lifts to get C Company in here. When they moved C Company in here, the aircraft moved to wherever you were located, picked up B Company, and dropped them down here somewhere in this area. B Company then conducted their operations generally to the east and to the north and linked up with C Company for the night laager somewhere in this area, the night of the 16th of March. The following day B Company began a sweep operation down the coast of the South China Sea moving south to the Tra Khuc River. C Company was also conducting a sweep of the south on the east side of the Song My Khe, generally down through here to include Hill 85. C and B Company laagered again for the night in different locations the night of the 17th. The morning of the 18th operations were continued. C Company moved up further toward the Batangan Peninsula. That day C Company began its pick up and moved back to Landing Zone Dottie. We're not sure whether B Company went out that day or not. B Company may have stayed

in there until the 19th. We don't know at this stage. That's basically what happened on this operation. It was a combat assault. Two companies were moved by helicopter, one company moved by foot. The operation, or at least the air assault part of it, was probably completed by 0900 hours. The records indicate that B Company closed on the landing zone at 0827 or 0837. Which is correct?

LTC NOLL: I believe 0827.

COL WILSON: Lieutenant COCHRAN was killed on this operation right after he stepped off his helicopter. As far as we've been able to determine, I think his platoon was taken over by an SP5 who moved that platoon through a graveyard and had a few more casualties while your platoon was moving off in another direction. Now, before I go any further with this, this is just to orient you and bring you up to date, fix it in your mind. Colonel NOLL, do you have any questions on the briefing or anything that took place prior to the combat assault?

LTC NOLL: I have one question. Sergeant LIAS, you had been in the company about 3 months prior to this time. And this was apparently the first operation that you would go out to search and destroy. Did this mission seem unusual to you?

A. No, I can't say that it was unusual, just burning the hootches, but no.

Q. There wasn't any question of why you were burning the hootches?

A. That it was an enemy stronghold, breaking down the morale -- of where they may be staying.

MAJ ZYCHOWSKI: Sergeant, you said the Lieutenant WILLINGHAM did the briefing, is this correct?

A. I think so, sir. I think it was Lieutenant WILLINGHAM.

Q. Do you recall if Captain MICHLES was there at this time?

A. I can't recall, sir, because every time we get ready to move out, there's always a platoon assembly. That's

why I know the platoon leader talked to us.

Q. Do you recall if there was anyone there from Task Force Barker or any other staff officer that might have been there during the briefing?

A. I can't recall, sir. All platoons were in separate areas for briefings, and I can't recall if anyone might have been around there.

COL WILSON: Was it unusual or different to go into these areas and burn hootches?

A. Yes, sir, it was, because normally we'd just go through and like I said before, we take the large amounts, wherever we found, like a small village that we thought there was more rice than normally expected, we would have it bagged up and sent in.

Q. Are you reasonably sure now that you loaded at LZ Uptight the morning of 16 March?

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

Q. Do you remember the direction of flight when you left Uptight, when you landed?

A. From Uptight you could look out toward the peninsula, see the direction of flight. We went out toward the peninsula.

Q. You left Uptight and flew toward the Batangan Peninsula?

A. I think so, sir, more or less in that direction, off of the slope from Uptight.

Q. Now the peninsula is out here.

A. From Uptight, was I recall, we flew out over, from Uptight.

Q. Did you fly out toward the South China Sea or did you fly south?

A. It seemed to me like any time we would leave

Uptight, we were only picked up a couple times, we were picked up and flew out like we were going toward the peninsula.

Q. Do you remember very clearly that there were a number of, say eight or nine, slicks that landed at Uptight the morning of 16 March?

A. Approximately that date and time, sir, there was quite a number. I don't remember how many.

Q. Do you remember receiving any fire en route as you went down across the Diem Diem River and moved down into Pinkville area?

A. While in the air?

Q. While in the air.

A. I don't know, sir. Not that I can say. I've never.

Q. Do you recall, as you approached your landing zone, whether or not you could hear or see artillery fire out there?

A. When we hit the landing zone?

Q. As you approached it?

A. No, just any time we would set down the gunships, but I can't recall seeing any artillery.

Q. Do you recall your doorgunners firing?

A. Yes, sir. Most of the areas that we sometimes choppered into, the doorgunners would spray the area as we were coming in.

Q. Do you remember on this particular operation whether they were firing or not?

A. I can't recall, sir, because normally, almost every time we would go out, more or less, if it was setting down, they would spray the area.

Q. Do you remember if you were in the first lift or

the second lift, or which aircraft you were in in the column?

A. It wasn't the first lift, I know that, sir.

Q. It was not?

A. It was not the first lift.

Q. Well, now, if you went in on the second lift and the gunners were firing, it was quite likely that they might have hit some of our own troops?

A. Like I say, sir, I don't know. Every time they didn't fire. It wasn't the first lift that I was on.

Q. Do you remember where the landing zone was? Is there anything about the landing zone you remember?

A. Just an open field there, with a permanent trail.

Q. Running through it?

A. Running through it.

Q. Anything else you remember about it?

A. The open field was something like a hedge line if I'm not mistaken.

Q. Do you recall where the big hill was from the landing zone?

A. No, I couldn't say in which direction it was.

Q. Do you recall a graveyard being near the landing zone?

A. No, I can't say.

Q. Do you recall the Road 521 which you had been on before when you were in that area and you had gotten pinned down?

A. No, I don't recall the road at all, sir.

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Q. Being near the landing zone?

A. No, sir, I can't recall the road.

Q. You don't recall seeing it as you flew over it?

A. No.

Q. Do you remember your position in the aircraft, whether you were in the door, on the inside?

A. On the inside, sir. Every time we went out we were always facing one another on the inside.

Q. When you got off the aircraft, did you get off firing?

A. No, there wasn't.

Q. Did you hear any firing?

A. No, there was no firing coming in. We didn't get off firing or anything. We just got off and moved out.

Q. Did you hear any firing off in the distance?

A. No, sir.

Q. Did you see any gunships?

A. There was always ships up ahead of us.

Q. Did you see any gunships firing?

A. No, I didn't.

Q. Did you see any casualties near the landing zone?

A. There was a few casualties, sir. There was supposed to have been from the artillery prep prior, as we were moving in.

Q. Are you talking about friendly or enemy casualties?

A. Well, it seemed like one of the prisoners that

we apprehended. I believe he was hit. I'm not too sure.

Q. When you started moving out, when you got the platoon together, did you move out in any particular direction? Do you remember which direction you moved?

A. I can't recall any direction. There was just-- when we got off the ship there was a hedge line, and we were told to move up to the hedge line.

Q. Move up on line or something?

A. No, we moved up and stopped. Everybody held up there.

Q. Did you see a helicopter come in and dustoff any casualties?

A. That's the incident where Lieutenant COCHRAN got hit. A helicopter came in but I didn't see the body.

Q. In other words, you weren't near where these fellows hit the land mine?

A. Apparently we had moved through there, because recalling where he got hit, well, there had already been somebody over in that area.

LTC NOLL: I'm just curious, how do you define lift? Are you fixing yourself in a place of a column of helicopters or are you talking about -- in other words, we talked about which lift you were in. You said you were not in the first one. I was just kind of curious, I wanted to be sure how we defined lift.

A. Lift, the way I would understand it, is like when the helicopters go out and then come back.

Q. I see. Was there another lift after your lift went in?

A. I think there was. I'm not real sure, sir, I don't recall.

COL WILSON: I'm referring to Task Force Barker log of 16 March which is Exhibit M-14. An entry at 0845 the morning of the 16th, it has, "One U.S. killed, hostile action, four wounded

hostile action in the vicinity of 733793." That would be right about out there (referring to Exhibit MAP-4). Do you think that this is the area that that occurred in? Do you think that you landed anywhere here? Remember these grid squares are about 1,000 meters apart.

A. It could have been, sir.

Q. Do you know if these men were wounded in a graveyard, whether Lieutenant COCHRAN was killed in a graveyard?

A. No, I don't, sir. The only graveyard incident that I recall is the area that we were pinned down in.

Q. This was on the February operation?

A. That's the only graveyard incident I can recall, sir.

Q. You don't recall where this LZ was? There's no particular points you can locate that would bring back to mind where you landed?

A. No, sir, I can't remember, sir.

Q. Well, tell me what happened after you landed on 16 March as far as you can remember.

A. Well, after we got off, we swept through a small little area, picked up these prisoners, and continued down a stretch into -- let's see, after we moved out, that's when we went down to another area down in here.

Q. You are pointing to the vicinity of My Khe (4) and Co Lay (1).

A. After we went through we continued down more or less a road-like terrain and down towards the coast line.

Q. So you went towards the coast line?

A. Yes, sir.

Q. Did you cross a bridge?

A. I can't recall, sir.

Q. Do you remember receiving any sniper fire in this area?

A. Not from the position where I was, I don't recall any sniper fire.

Q. You don't remember crossing over a body of water onto another --

A. I know that we went all the way out to a beach-type area, of sand and everything, down to a tip, beach-type area.

Q. You did go out to a beach?

A. Right, sir. I guess it was more or less the ocean front. I recall going out. There was nothing but sand, a beach type area.

Q. Was this on 16 March, the first day?

A. I can't recall, sir. It had to be either the 16th or 17th.

Q. Did anything happen that day that you particularly remember?

A. Once we got out to the beach-type area, well, there was medics coming in and they were treating, you know, the villagers there. And we spent the night in a big cleared-out area on the beach.

Q. What medics came in?

A. I don't know what unit of medics they were. They were medics that were flown in and they were treating the children and people in that area.

Q. They weren't your company medics?

A. No, sir.

Q. What were they treating them for?

A. Just sores and stuff like that, treating sores.

Q. And you all stayed out on the beach that night, or in the vicinity of the beach?

A. Yes.

Q. Did you stay in a village or did you stay out of a village?

A. It was off from the village.

Q. Was this just your platoon?

A. As I recall I think it was the whole company. I think there was the whole company, yes, sir.

Q. Whole company?

A. We were out, it was in an open-out area, if I'm not mistaken. It was a company, either company or two platoons.

Q. Did you dig defensive positions that night or or that afternoon?

A. We did, sir.

COL WILSON: Mr. WALSH?

MR WALSH: Sergeant, we have pretty good indications from other investigations that after the platoon landed, you moved out almost immediately across a bridge onto this bit of land that goes down along the sea. You moved down that day, maybe 500 meters down to some villages in around the area marked Co Lay (1) on the map, and then moved back, perhaps up in the area near the bridge shown on the map, north of there where your platoon laagered by itself, on the first night. I think you said you have no recollection of crossing the bridge to get over to the beach area, but you do remember going over to a beach area. Do you recall your platoon moving along and receiving any fire after you got off the choppers, that morning?

A. I can't recall any firing.

Q. Do you recall being separated from the rest of the company by that little river, or whatever it is on the map, during the course of that day?

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(NOT USED)

(LIAS)

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A. I remember going out to the beach and I do remember us going all the way to some type like because--

Q. (Interposing) That's what would have happened the second day because the second day you swept all the way down to the end and then back up, laagered on the way back up that night, and then the third day moved all the way up here to an area, and perhaps the fourth day gave medical assistance to residents of the area off the map here towards the peninsula. But my question is: I'd like you to focus your memory as much as you can on the operation of the first day where we understand that the first platoon moved over to the peninsula by itself while the rest of the platoon, rest of the company, was sweeping this area here, and your platoon moved in this area, not all the way down to the tip the first day, but covered a couple of villages in this area. And I'd like you to see what you can recall about that first day in your platoon. And you don't recall receiving any hostile fire? Do you remember killing any VC that day?

A. I know we had some captive personnel.

Q. How were they captured?

A. Just the eligible type males within the age bracket.

Q. How did you--

A. (Interposing) If I'm not mistaken, after they were separated they stayed with us, we kept them with us and then we turned them over to the headquarters section.

Q. What can you remember about moving into the first village or hamlet that you came to?

A. Like I said before, the first one we moved through, we were told to burn the hootches down and check on the--destroy the food and stuff.

Q. Now when you moved in, how did your platoon perform this? Did they move up to the village firing?

A. There was some firing as the first ones moved through.

Q. Did they toss grenades into hootches and clear them out as they went through?

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A. I can't recall that they tossed -- I know there was some bunker complexes like. I know they were destroyed.

Q. How were they destroyed?

A. Hand grenades I believe.

Q. Did you have tunnel rats or people that would go down in them and search them before they were destroyed?

A. Yes, we did have tunnel rats.

Q. Do you recall seeing any VC killed that day?

A. I can't recall, sir.

Q. You don't recall if your platoon killed any VC on that day at all?

A. I can't recall, sir.

Q. Do you remember if the platoon found booby traps or weapons or anything of that nature when they moved into the villages?

A. I think there were some booby traps around the area, sir.

Q. Can you remember anything about them, what kind of booby traps they were?

A. More or less like waste material that was from unexploded government equipment.

Q. Was anybody hurt by booby traps?

A. I can't recall, sir. I know one of the fellows say he stepped on a booby trap. It didn't explode. That's why I say we found booby traps in the area.

Q. Did you see any dead bodies in any of those villages during that day?

A. Yes, I did.

Q. How many?

A. I don't remember, sir, a couple of bodies that I saw.

Q. No more than a couple?

A. That's all I saw, sir.

Q. And I take it you didn't see anybody get shot?

A. No, sir.

Q. Did you see any bodies of people who had been killed by the results of throwing grenades into hootches or tunnels?

A. No, I didn't, sir. I wasn't one of the first ones through. I saw the exploded tunnels and stuff, and that's all.

Q. Was the platoon set up in a way where a couple of squads were going through first and yours was following, or how was it organized as you swept the village? Do you recall that?

A. Point squad went in first, then the other squads came behind.

Q. Would the point squad clear out the people and then the following squads burn the hootches and search them, or was there a different assignment for various squads? Do you recall?

A. The point squad more or less just continued the march while the other squads brought the people out. They more or less continued the march.

Q. Going in after second and third squads came through, what would you do with the people when you cleared them out of the hootches? Would they be sent to the platoon leader or what method?

A. I think at that particular time, sir, there was no one grouped up because the area was so small. There was no grouping up.

Q. With respect to the couple of bodies that you saw, how were they killed, or could you tell?

A. No, I couldn't tell, sir.

Q. Did you hear from anybody how they had died?

A. No.

Q. Do you recall if they were women, men, children?

A. I never moved off the road. From what I could gather it was more or less, it must have been one of the artillery preps.

Q. Was there an artillery prep on that area?

A. I believe there was, sir. I believe there was an artillery prep before we were choppered out, as I recall, sir.

Q. Was that prep on the landing zone or was it over in the beach area where your platoon moved?

A. From what I gathered, sir, it was all out on that area out there, I don't know exactly where the prep was.

Q. Did you see any soldiers in your platoon shoot any VC civilians that were in those villages?

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

Q. And you only saw a couple of bodies altogether?

A. Yes.

Q. Did you see any of the soldiers in your platoon abuse any of the women that were rounded up?

A. No, sir, I didn't.

Q. Did you hear about any such things?

A. No, not in our company I didn't. I heard that when we first got there, before we got there, that things did go on, but never when I was there.

Q. And you never saw any such things on this operation?

A. Not at all, sir.

Q. Did you question any of the inhabitants of this village about booby traps or anything like that?

A. No, I didn't, sir.

Q. Did you see any of the other squad leaders or platoon leaders interrogating any of these people?

A. No, I didn't, sir. I didn't see them interrogating any time we apprehended anyone. Well, I mean as far as squad leaders, what have you.

Q. Sergeant, your testimony is a little puzzling to me in that it would appear that your platoon encountered some opposition and reported killing some VC in that area on the first morning that you landed. But you recall no opposition or seeing any bodies. Do you have any particular explanation about why you wouldn't have seen this?

A. No, no explanation.

Q. Is it possible that you could have seen it and just forgotten it?

A. No, I can't recall any incidents, what happened, sir.

COL WILSON: Sergeant LIAS, I am going to recess until tomorrow morning and I would like you to go with Major THOMAS and see if you can recall, using the B Company roster, personnel that were in your platoon or in your unit. Put their name down wherever you can recall. I'm interested in the people on the operation. I'm not interested in the cooks or supply sergeant. So, if you will do that this evening as far as you can, I don't want him to take this with him, but for about 45 minutes recall what you can and then when you come in in the morning, if you recall any more overnight you can fill it in. I'd like you to be back in the morning at 0830 or whatever time Major THOMAS tells you to come. So I'm going to leave you here with him and we'll recess until that time, 0830 tomorrow morning.

(The hearing recessed at 1712 hours, 13
January 1970.)

(The hearing reconvened at 1455 hours, 14
January 1970.)

COL WILSON: The hearing will come to order.

RCDR: The following members are present: COL WILSON, MR WALSH, LTC NOLL, MAJ ZYCHOWSKI, and MAJ THOMAS.

COL WILSON: Sergeant, I remind you you are still under oath.

As we completed the interview yesterday we had questioned you considerably on previous actions or briefings that may have occurred on 15 March at Uptight or any instructions or orders you may have received from the platoon leader or company commander. And we had tried to recall you to the time and place of this particular operation and, we went through 16 March. Now have you been able to recall any additional information in the meantime, or is it any clearer in your mind as to when this took place than it was yesterday?

A. I think I remember the specific time, sir.

Q. You do think you fixed this pretty well as far as the time goes?

A. Yes, sir.

Q. On that basis, can you remember any more incidents or do you have any further insight into the operations of your squad or your platoon on the first day of the operation, on 16 March?

A. No, sir.

Q. You don't remember any more? Let me cover a couple of points in the Task Force Barker journal (Exhibit M-16) and see if this recalls anything to you. B/4/3 at 0955 on 16 March killed 12 VC. Now I may have gone over these with you yesterday, but I'm going to go over them again. B/4/3 killed 18 VC. That's at 1025. And at 1245, 1st platoon found some steel helmets, uniforms, and web equipment in the vicinity of 742787. That's right south of My Khe (4), right about in there (referring to Exhibit MAP-4). This is the reported area which indicates the platoon did get down that far at least on the 16th. Do you remember finding steel helmets, uniforms, and web

equipment down there by the south of this village, down there by the coast?

A. I don't recall, sir.

Q. Company B killed 8 VC in the vicinity of 742786 who had some Chicom grenades and web equipment. That was at 1420, that afternoon entry.

A. That particular incident, sir, I don't recall that, the two with the equipment --

Q. (Interposing) The two --

A. (Interposing) The two VC with the equipment --

Q. (Interposing) Is that the last entry I read you? I've got Company B reported at 1420, killed 8 VC who had some Chicom grenades, web equipment, and assorted ammunition.

A. No, sir, I don't recall any grenades. I may be thinking of another operation. There was one time during my period of stay over there that we got two with equipment. It may be two different time periods.

Q. I can't fix this as being the 1st Platoon. The only entry I can fix as being the 1st Platoon was the 1245 entry where there was some steel helmets, uniforms, and web equipment found at the location I pointed out on the map.

A. I can't recall, sir.

MR WALSH: Sergeant, you were wounded while you were in Vietnam weren't you?

A. Yes, sir.

Q. Do you know what the date of that was?

A. I think it was 12 February, sir.

Q. How long were you out away from the company?

A. I stayed with the company, sir. It was just a small fragment type. I was not medevac'd.

LTC NOLL: Talking about the day of the 16th, after you landed, do you recall at any time requesting fire support, outside fire support, either artillery or gunship, or your platoon being supported by artillery or gunship support?

A. I don't know if this is the same date, but one time we were supported with artillery, sir. That was the time period that we were pinned down, that I related yesterday, sir.

Q. After you got over to the area that you described as the beach area, do you recall anything about the disposition of the platoon? Was it such that in your squad you could see the activities in adjacent squads? In other words, would you generally have knowledge of what was going on in the other squad areas?

A. No, sir.

Q. Was there a great deal of foliage in this village that you went into, once you got into this village?

A. Which village are you speaking of, sir?

Q. My Khe (4)?

A. There was an embankment between the village and the water. There was a bank.

Q. Water on the sea side or water on the stream side?

A. Water on the sea side, sir. There was a village, like a village. The bank, in other words, travelling south would be to the left of the village.

MAJ ZYCHOWSKI: Sergeant LIAS, do you recall seeing a photographer, a PIO man on the 16th or 17th?

A. No I don't, sir.

Q. None at all?

A. None at all.

MR WALSH: What else can you remember about the terrain after you crossed the bridge and were moving down along the ocean there? You say there was an embankment on your left. Could you see water on your right?

A. No, I couldn't.

Q. Did you have any impression about how wide -- I think you testified yesterday that you were moving down a trail, which more or less ran through the center of the village?

A. Yes, sir.

Q. About how far to the left of the trail was this embankment, how many meters would you estimate?

A. Approximately, I'd say 100 meters.

Q. How about on the right-hand side? Was your vision unobstructed or were there trees or foliage, or was it just open sand, or was it paddy fields, or what do you remember on the right-hand side of the trail?

A. There were no open fields that I can recall, sir.

Q. In other words, your field of vision, if you couldn't see a long way when you were walking down a trail which -- are there trees growing along there?

A. I really can't recall, sir.

COL WILSON: Sergeant, I have here a looseleaf notebook with a series of photographs. Each photograph is numbered. I'd like for you to look through there starting with the first photograph and tell me if you can identify either the place or the people in the photographs. (The witness was handed a book of photographs.)

A. I identify the place.

Q. This is Exhibit P-17?

A. Yes, sir.

- Q. Where do you think that is?
- A. I don't know the area that it's called, sir.
- Q. You couldn't fix it on a map or anything?
- A. No, I couldn't.
- Q. P-18?
- A. I don't remember this place here.
- Q. P-19?
- A. Nor this one.
- Q. P-20?
- A. No, sir, I don't recall this picture also. But I believe this is the headquarters platoon personnel.
- Q. What photograph is that?
- A. P-20, sir.
- Q. Let me take a look at that. Do you recognize any of the individuals in the photograph, in P-20? Do you know any of them?
- A. I can't remember the names, sir. I remember them by appearance. I can't remember the names.
- MR WALSH: Do you remember what their jobs were?
- A. I think they were the mortar men in the mortar section.
- COL WILSON: Do you know where that location is?
- A. No, I don't, sir.
- Q. How about the next photograph, and what number is that next one?
- A. P-21, sir.
- Q. What about that?

- A. I have no recognition of this at all, sir.
- Q. Next photo, P-22?
- A. P-22, sir, I don't recognize.
- Q. Don't recognize it?
- A. I recognize him. I've seen him. I can't recall any of the names.
- Q. Let me see that. Do you recognize the American and the Vietnamese soldier?
- A. Not the Vietnamese soldier, but I recognize the American soldier.
- Q. How about the old man?
- A. No, I can't recognize him, sir.
- Q. Do you know who the American soldier is?
- A. Not by name, sir.
- Q. You've seen him?
- A. I've seen him.
- Q. All right, go on. The next photograph is what number?
- A. P-23, sir.
- Q. Do you recognize anything in that photograph?
- A. Not the area. I recognize the company commander.
- Q. Hold that up, please. The company commander is the individual on the left. What's his name?
- A. Captain MICHLES, sir.
- Q. Do you recognize anyone else in the photo?
- A. No, sir.

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- Q. Next, that's number what?
- A. P-68, sir.
- Q. You don't recognize any of those people?
- A. No, I don't.
- Q. They don't look familiar at all?
- A. No, I don't even recall seeing any of the people here before.
- Q. Did you ever know a Lieutenant JOHNSON?
- A. I can't recall, sir.
- Q. A lieutenant that would have been assigned to the military intelligence detachment in support of B Company. He would probably have been in B Company from time to time with the Vietnamese interpreter.
- A. I can't recall his name. I know we did have an intelligence man, an American, working with us. I can't recall his name.
- Q. Would you recognize the MI personnel if you saw him?
- A. MI?
- Q. Military intelligence personnel?
- A. I'm not sure, sir.
- Q. Look at photo 21 and 22 (Exhibit P-21 and P-22) and see if you can't recognize any of those people?
- A. I think it was, sir. I think it was. I don't recall his name.
- Q. Photo number 22, identified as possibly being an MI personnel. How about the other photograph, number 21? Do you think that's also the MI personnel?
- A. It appears to be the same person, sir.

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Q. Let's go on to the 17th, sergeant. Do you recall anything that happened the day after the combat assault on the 16th? Do you recall B Company linking up with 1st Platoon, the company across the bridge? B Company linking up with the 1st Platoon? We understand the 1st Platoon was working alone the first day.

A. I can't recall linking up, sir. The only thing I remember, the only time I think that we linked up was when the medics came into the area, sir. That's all I can recall about us linking up. I can't recall the company going down to this beach that I was telling you about. The only thing I can recall about the companies linking up, I know, is when we moved into this area further up, and we dug our positions, and they flew the medics in to give aid to the children and stuff.

Q. Do you remember a man named TAYLOR getting wounded?

A. Right, sir.

Q. That was on the 17th?

A. I don't recall the day.

Q. Was he in the platoon?

A. Yes, sir.

Q. Do you remember where he was wounded?

A. It was his foot, sir.

Q. Do you remember the location where he was wounded, what part of the peninsula he was wounded on, the location?

A. I know it was right by a bridge complex.

Q. It was by a bridge?

A. Yes, sir.

Q. Was he wounded by a mine, do you recall?

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A. I think it was either some type of mine or booby trap.

Q. This was near the bridge?

A. Yes, sir.

Q. Do you recall anything else that happened? That entry in the log shows that man, at least the log entry shows 0810 in the morning, early in the morning. Do you recall what happened after he was wounded? Was there a fire fight? Was there any sniper fire received?

A. Yes, there was, sir.

Q. Did you have a fire fight there?

A. Yes, sir, I believe we did, sir.

Q. Did you have any gunship support, gunships brought in there?

A. I can't remember any gunships.

Q. What happened after that, do you remember, where did you go, south, north?

A. I can't remember.

Q. It seems at 1320 the 2d Platoon of B Company engaged two VC, one VC KIA, do you remember this incident, about 1320 that afternoon?

A. No, I don't, sir.

Q. You don't recall anything on the 17th?

A. The incident about TAYLOR I remember, I don't know about the dates.

Q. But you remember the incident though?

A. Yes, sir.

MR WALSH: Was TAYLOR in your squad?

A. No, he wasn't.

Q. Were you in the area when he was wounded?
Did you see it?

A. No, I didn't see it happen, sir.

Q. Do you remember where you were when it happened?

A. I was further back. In other words, the squad he was in was out to our front, sir.

Q. What direction were you moving?

A. I imagine it was south, sir.

Q. Were you north of the bridge?

A. Right, sir. We were to the front of the bridge moving toward the bridge.

Q. And were you coming from your night defensive position?

A. I don't know, sir. I can't recall. The only position that I remember being set up in was when the company rejoined and we were all right there on the beach, further up north, and we dug our positions for laagering that night.

Q. Do you remember when TAYLOR was wounded, whether the platoon was by itself? Do you recall?

A. Yes, it was, sir.

Q. The rest of the company was still on the other side of the bridge at that time?

A. I think it was, sir.

Q. Do you recall if the rest of the company came across the bridge and joined you shortly after TAYLOR was hit?

A. No, they didn't, sir.

Q. They did not?

A. No, they did not, sir.

Q. Did you move on down past the bridge after that?

A. I can't recall, sir, because we held up there for quite some time. I can't remember which direction we moved out from there.

Q. Do you remember how TAYLOR was taken out?

A. I think he was medevac'd from there, sir, that area.

Q. Do you recall it? Do you recall seeing it?

A. He was medevac'd.

Q. Approximately how far away from the bridge was he when that happened, right next to it, the bridge?

A. I'm not sure, he couldn't have been too far because we wasn't too far behind, sir.

COL WILSON: What was the period of time from the time that TAYLOR was wounded until he was evac'd?

A. I couldn't say the exact period of time, sir, but I imagine they called the medevac right away, so I don't know what period of time it took to get there.

Q. Do you remember anything else occurring on the 17th? On the 18th Task Force Barker log (Exhibit M-16) indicates at 0755 in the morning Company B found approximately 3,000 pounds of rice. Do you remember this? The morning of 18 March, at 0755, Company B reported that they had found approximately 3,000 pounds of rice and they would evacuate. Do you recall this?

A. No, sir, I can't recall it. It seems to me, sir--I can't recall any rice because when the whole company rejoined together--we were up in quite a large-size area. I don't recall.

Q. You say large-size area. Are you talking about a village or what?

A. Yes, sir.

Q. This location was 742787. This area where the rice was found was reported 742787, right around in here (indicating a position on Exhibit MAP-4) just south of the bridge. That was the morning now that's early on the morning of the 18th?

A. Sir, I don't remember that incident.

Q. You don't remember a helicopter coming in and picking up 3,000 pounds of rice?

A. Like I said before, sir, there was rice in shipments that we had sent in, but I can't recall when.

Q. At 1900 on the 18th, Bravo 6 requested a dustoff of three Vietnamese who were wounded by booby-trapped artillery. Do you recall this, three Vietnamese hit in a booby trap and later dusted-off?

A. I can't recall it, sir.

Q. All right, on the night of the 18th at 1930 Bravo 6 reported its location as 751816. That would have been up there by the fish pond which would have been actually in the area of Ky Xuyen (2) and An Ky which are two fairly large villages, aren't they? Or the remains of two fairly large villages.

A. That's the area we dug in for that night and the medics came in.

Q. The medics came in that night, that's the night of the 18th, or the next morning?

A. It was daylight, sir, at the time when they got there.

Q. It was the evening, then. It was on the 18th though. Is that correct? They came in that evening and not the morning of the 19th?

A. I'm not sure about the date, our company did laager up there, sir, and the medics came in because the night that we stayed there, we were evacuated from the beach

the next morning.

Q. You mean you stayed there that night and then you were evacuated the next morning? That would have been the morning of the 19th?

A. The next morning, we laagered up in that area, sir, and the next morning the company was extracted.

Q. From this area?

A. Right from the beach, sir.

Q. All right. When did the medics get a chance to treat the natives of the area there? Was that done that evening or was it done the next morning or when?

A. The medics were there while we were preparing our laagering positions for the night. If I'm not mistaken I believe the medics left prior to the night, sir, and we were evacuated out the next morning, sir.

Q. Did you remember seeing some fish ponds around there? It looked like a big lake?

A. No. We remained right there on the ocean front.

Q. When you left the morning of the 19th, where did you go?

A. If I'm not mistaken it was either back to one of the fire bases --

Q. (Interposing) You don't remember which one it was?

A. No, I don't. I can't recall. I think it was back to one of the fire bases.

MR WALSH: Do you remember who was in that medical detachment? Was there a major, a captain, and a couple of lieutenants from Medical Corps?

A. I don't know any of the names.

Q. Were there a number of Medical Corps officers?

A. I don't know the amount, how many there were, sir, but I believe there was a medical officer there with them, I'm quite sure.

Q. Do you remember if there was a Vietnamese National Policeman with them?

A. I believe there were police there with them, sir. I don't know if they were -- I mean they were in the area.

Q. Do you remember if the Navy delivered a bunch of detainees that were in sampans off the coast to your unit there on the beach?

A. Yes, they did. I remember that.

Q. Was that toward the end of the operation, maybe the last day of the operation, or did that happen earlier?

A. If I'm not mistaken, sir, it was during the same time that -- the day before we left.

Q. The same time that the medical team was treating the people around that area?

A. Around the same time.

Q. What did the company do with this group of fishermen or people that were sent in by the Navy?

A. After they come in and they were checked out by the people, as far as I know they may have been turned loose or what ever. I don't know if they detained any of them that were brought in.

Q. You had never seen the National Police questioning them or anybody interrogating them?

A. No, I didn't see any interrogation, sir.

Q. About how many people were included in that group that came in from the ocean?

A. I couldn't say, sir. There was one group that the Navy forced in, while they turned out just to be fishermen

from the village and everything. While they were taking them back up to be interrogated, we were checking out their sampans, their boats, sir, and found nothing, just nets and old fishing gear, but nothing suspicious about it at all.

Q. You were lifted out by helicopters?

A. Yes, sir.

Q. Back to Uptight?

A. I think it was back to our fire base, sir. I don't recall whether it was Uptight or Dottie. I don't recall. We were lifted out the next morning by helicopter from the beach, sir.

COL WILSON: Colonel NOLL, what about that?

LTC NOLL: According to the message (referring to a document later admitted as Exhibit M-40), sir, they reported that: "PCF 20 sighted 10 sampans with several males and children aboard. There were no women aboard. Six of the sampans were boarded and directed to beach. The Vietnamese appeared to have been innocent civilians but were turned over to Task Force Barker as possible sources of area intelligence. None of the detainees were subsequently classified as VC by Vietnamese National Police." And this entry is on the 16th and it's between the hours of 1600 and 1700.

COL WILSON: This probably puts it on the first day of the operation.

A. I don't know, sir, because I know the Navy did bring them in. As far as I remember it seemed like the day before we left, sir.

Q. Well, it could be, we don't have any indication that they did this twice. Of course after a period of 2 years you could have the dates mixed up. If you feel pretty strongly --

A. (Interposing) When the company was all up in this area together, we were clearing out a large area for our laager. I'm sure that's the same day that the Navy ships were out there, sending the sampans in. I'm quite sure of that, sir.

Q. The document which Colonel NOLL read from is a Navy report which we will introduce as an exhibit (Exhibit M-40; see page 52).

A. If I'm not mistaken it was a day prior to us leaving it.

Q. That would be the 18th. You left on the 19th.

A. Well, I am quite sure that it was the day prior to us leaving the area, being lifted out.

Q. That these Vietnamese fishermen were turned over to you?

A. Yes, sir, because we were searching the boats, but nothing suspicious was found that I could see.

Q. Sergeant, do you have any knowledge either from rumor, or hearsay, or direct evidence that there ever was an investigation conducted over there about the operation that took place between the period 16 to 20 March 1968?

A. Well the only thing that I've heard about an investigation before, sir, was when this deal first come up about the 1/20.

Q. You mean since you got back to the States?

A. Right, sir.

Q. I mean at the time you were in Vietnam, did you hear of any investigation, anything about an investigation?

A. Not that I can recall, sir.

Q. Do you know of anyone that was interviewed on this subject?

A. No, I don't, sir.

Q. You were never questioned?

A. No, sir.

Q. Did you ever see any senior officers from divi-

sion or brigade down in any of the fire bases when you were there asking questions about this operation?

A. No, I don't, sir. I can't recall. Just the times that we were on Dottie, I remember there was quite a few VIP's coming around, but that was the whole period of time I was there, sir, so I wouldn't know what reason they were coming down for.

Q. Did you ever hear at any time anyone either in or out of Task Force Barker indicate that Barker or its elements mistreated the Vietnamese?

A. No, sir.

Q. Did you ever hear any discussions like this among the troops?

A. No, sir.

Q. Do you have any further statements or testimony at this time that might add some light on the B Company operations during this period?

A. No, I don't, sir.

Q. I would like for you, when you go home, if you find any documents or evidence such photographs, rosters, orders, anything that might assist us in this investigation, if you will call us back here, we will make arrangements to get them.

A. Yes, sir.

Q. One other question I have before you leave. Did you ever hear or know of a marijuana problem in B Company?

A. Yes, there was.

Q. Was it a problem or was it just used? Was it excessive, was anybody in there using it excessively, or --

A. (Interposing) From what I gathered, sir, it was just that, a few fellows. When they ran across it, they used it, but nothing -- no outcome. I believe what it was just a

few fellows that ran across it did use it, sir, because I heard talk that there was some around in the area.

Q. Was marijuana ever used during a period of operations? Did anybody ever go on an operation high on marijuana in your platoon?

A. No, sir, if there was it was strictly covered up. I didn't see no one that I know of under any influence.

MAJ ZYCHOWSKI: Do you know of anybody in your squad or your platoon that always took a camera with them on an assault like this?

A. Just mostly portable radios. I mean normally a lot of the GI's over there had their own personal cameras and they took pictures of the various operations that they were on.

Q. Do you recall anybody in your squad or platoon who took a camera with them and took pictures?

A. No, sir, I can't recall anybody that took pictures.

Q. Did you see anybody in your squad or platoon taking pictures on this particular assault?

A. No, I didn't, sir.

COL WILSON: Sergeant, you are ordered not to discuss your testimony in this investigation with others including other witnesses who may be called before this investigation, except in performance of official duties as you may be required to do before a competent judicial, legislative, or administrative body. I'll explain that. You are not to discuss this testimony, what you said before this board, with anyone other than a similar board, a court-martial, or a legislative body.

A. I understand, sir.

Q. And in particular, I'd like to point out -- if you understand this I'm not going any further with it. So in addition, you are cautioned that if you are subject to the

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order issued by the military judge in the general court-martial case of the United States v. Calley, this in no way changes the applicability of that order. I know you're not, but appearance here does not violate that order. Do you have any questions?

A. No, sir.

COL WILSON: We appreciate your coming up, Sergeant LIAS. Thank you very much.

(COMUSMACV message, 2401252 Dec 69, subject: "Letter from COMNAVFORV, dtd 23 Dec 69 (U)," containing spot reports concerning Naval support to Task Force Barker on 16 and 17 March 1968 was received and entered into evidence as Exhibit M-40.)

(The hearing recessed at 1547 hours, 14 January 1970.)

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SUMMARY OF TESTIMONY

WITNESS: LONG, Samuel E., Jr.

DATE OF TESTIMONY: 4 February 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: First Platoon, B/4/3.

1. KNOWLEDGE OF THE 16 MARCH 1968 OPERATION.

On 16 March the witness was at Duc Pho awaiting PCS orders to the United States (pg. 3). Mr. LONG was sure that he was not with B/4/3 that day for he vividly recalled being told by a clerk in Duc Pho that his friend TAYLOR had lost a foot on 16 March (pgs. 3-5). He heard that TAYLOR was prone attempting to disarm a mine when his foot detonated another mine wounding him (pgs. 24, 25). The witness never discussed this operation prior to leaving Vietnam on 17 April 1968 (pg. 19).

2. PREVIOUS OPERATIONS AS A MEMBER OF THE POINT GROUP.

LONG had previously been with the point group composed of TAYLOR, TITTLE, HOOTON, and himself (pg. 7). They carried frag grenades, C4, and TNT which in all was about six pounds of explosives among themselves (pgs. 7-10). In searching a hootch, they would always yell into it first (pgs. 10, 11). TITTLE carried a grappling hook which was used to pull the covering from tunnels in the event they were boobytrapped. Then they would use C4 or TNT to destroy the tunnel. If it was a shelter bunker, a frag grenade would be thrown in. Enemy bunkers had two exits and were distinguishable from family bunkers which only had one exit (pgs. 12, 13). He believed that TAYLOR was

(LONG)

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the only one in their group who had had demolitions training (pg. 14). If they drew heavy fire, they used more caution while searching (pg. 15).

3. KNOWLEDGE OF INQUIRIES CONCERNING THE OPERATION.

LONG never heard of an investigation, inquiry, or of a massacre. He was not questioned about the operation, nor did he know of anyone that was questioned (pg. 20). He never heard of a rumor that there had been a massacre (pg. 21).

4. OTHER INFORMATION.

a. LONG was sure that a previous operation which B/4/3 made in the My Lai area had been designated as a search and destroy mission. APC's had to evacuate the company as a result of enemy fire (pg. 16).

b. He only saw one enemy body while serving with the point group (pg. 17).

c. The witness suspected the B/4/3 interpreter of shooting detainees (pg. 22).

d. LONG testified that he had never used marijuana and did not know specifically of anyone who did (pg. 23).

(The hearing reconvened at 1345 hours, 4 February 1970.)

COL WILSON: The hearing will come to order.

RCDR: The following named persons are present: COL WILSON, LTC NOLL, and MAJ THOMAS.

The next witness is Mr. Samuel E. LONG, Jr.

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

Would you please state your full name, occupation, and residence?

A. My full name is Samuel E. LONG, Jr., my occupation is--well, I'm unemployed at the moment.

RCDR: Your residence?

A. I live in Kent, Washington, 25040 21st Avenue South, Kent, Washington.

COL WILSON: Mr. LONG, have you discussed this operation with anyone from your unit prior to coming here?

A. No. Just with one of the guys upstairs, right now.

Q. Who's that?

A. KINGSBY, he's here right now.

Q. You have discussed the operation?

A. Yeah, in a way we did. But, mostly, we talked about the good times we had over there.

Q. What was your assignment on the 16th of March 1968?

A. I was in Duc Pho at the time.

Q. Doing what?

- A. I was waiting for orders to go back home.
- Q. You were being processed out of the unit?
- A. Yes, sir.
- Q. Why?
- A. Rotation.
- Q. How long had you been in Vietnam?
- A. I was over there from March of 1967 with the 86th Engineer Battalion at first. Then I went to Hawaii. Then, I went back to Vietnam with the 11th Brigade.
- Q. You went to Hawaii from a full tour?
- A. I spent 8 months in Vietnam. All I had to do when I went back was to finish up 4 more months.
- Q. What did you come back for in the 8 months?
- A. Well, my brother and I were stationed right down the street from each other. They didn't like it too well, so--
- Q. (Interposing) Where had you been assigned when you were with B Company?
- A. Where would I have been assigned?
- Q. Where had you been assigned with B Company?
- A. Well, I was with Bravo Company up at LZ Uptight and LZ Dottie.
- Q. Which platoon?
- A. 1st Platoon.
- Q. Which squad?
- A. Point squad.
- Q. Is that a numbered squad?

A. Well, yes and no. There was just four of us in it.

Q. Who was the squad leader?

A. Sergeant TITTLE.

LTC NOLL: When did you leave country?

A. April 17th.

Q. April 17th?

A. Well, I was supposed to leave April 4th, but somehow or other, they lost something. My orders, I reckon.

Q. When did they pull you out of the field?

A. 30 days prior. 30 days prior to April 4th.

Q. What did you do? Work in the company rear?

A. At Duc Pho, yes, sir.

COL WILSON: Who did you work for there?

A. Lieutenant MUNDY at that time. He was the XO.

Q. What did you do?

A. Oh, we pulled a little bit of KP and guard on the perimeter.

LTC NOLL: When did you say you left?

A. April 17th.

COL WILSON: Well, according to my calculations, you would have been up there at Uptight on the 15th and 16th of March.

A. If I--no, sir. I was back at Duc Pho, because they come in and told me, the company clerk told me, and I don't think HOOTON was up there at the time because he was allergic to C-rations. He was back with me. The company clerk came down and told me that TAYLOR had his foot blown off.

Q. Where were you then?

A. Back at Duc Pho, still.

Q. You were up at Duc Pho when TAYLOR had his foot blown off?

A. Right.

Q. HOOTON was with you?

A. Yes. Or else that was HOOTON that told me. It's been a long time. I can't remember.

Q. Was HOOTON supposed to be leaving country?

A. No, he just got assigned back there because he was allergic to C-rations.

Q. When did he go back there? Was he back there before you went back, or did he go back at the same time?

A. Before I went back to the States?

Q. No, before you went back to Duc Pho?

A. No, he was in Duc Pho with me.

Q. Did you go back at the same time, or did you go back--

A. (Interposing) No, we went back at separate times.

Q. Who went back first?

A. I did. He came in maybe about 2 weeks after I was already in Duc Pho.

Q. Then he was on this operation?

A. He might have been. All I know is that somebody came in and told me that TAYLOR had his foot blown off. I

couldn't remember whether it was the company clerk or HOOTON that told me. I asked HOOTON what he was doing back there because I thought he was going on R&R or something. He told me "I'm allergic to C-rations." You know, I don't see how anybody could be allergic to C-rations because that's just a form of food. But, that's what he was. I guess he didn't go back out into the field from that point on.

Q. I haven't heard of anybody being allergic to C-rations.

A. I haven't either.

Q. Who told him this?

A. The doctors over there.

LTC NOLL: Were you in the field when MILUS was killed?

A. No, sir.

COL WILSON: Where is HOOTON, do you know?

A. Where is HOOTON right now?

Q. Yes.

A. I wouldn't know, sir. I haven't seen him since I left. I haven't even heard from him.

Q. What kind of an engineer unit--where were you stationed?

A. 86th Engineer Battalion, Headquarters and Headquarters Company.

LTC NOLL: 86th Engineer Battalion, Head and Head?

Do you know Terry REID?

A. Yes, I know him pretty well. I haven't seen him in a long time. We used to crack a few jokes together a lot when we were over there. Him and Walter JONES hung around pretty good. I just found out today that Walter JONES was hurt over there from a Claymore mine, or something like that and, about his ear drums, or something like that.

COL WILSON: Who was your platoon leader when you left the 1st Platoon?

A. Second Lieutenant WILLINGHAM.

LTC NOLL: Do you know how long he had been there?

A. How long had Lieutenant WILLINGHAM been there?

Q. Yes, when you left the platoon?

A. He was with us for about a month and a half before I left. He took over about a week and a half after Lieutenant SPRAGGINS got hit in the leg.

(MR WALSH joined the hearing.)

COL WILSON: Let me ask you before we go any further. Did you have a chance to read the material that was passed out to you (Exhibit M-81)?

A. Yes, sir.

Q. Do you understand what this interview team is?

A. Yes, sir.

Q. Part of the Peers Inquiry. And, you understand how we're going to proceed?

(Witness nodded in the affirmative.)

(Colonel WILSON oriented Mr. WALSH on the material covered prior to his joining the hearing.)

Well, let me proceed with some questions here, Mr. LONG, since you have come all this distance, although we had hoped that you had been in the objective area during this operation.

A. I probably wish I would have been there myself. I got bored sitting back there.

Q. Well, somebody else has to be in the rear. Do you recall previous operations with the point group?

A. Yes, sir.

Q. In this area?

A. In the My Lai, yes, sir.

Q. Now, I am interested in how you all operated. There were four of you, is that correct?

A. Yes, sir.

Q. And, you worked in the point group that preceded the platoon?

A. Right, sir.

Q. Did you ever work with another platoon in the point?

A. No.

Q. Preceding the company?

A. No, sir.

Q. Just when the platoon was making the approach?
Were you all armed with M-16's?

A. Right, sir.

Q. All right. Did you carry any different munitions load than the rest of the company?

A. no, sir.

Q. I mean all the people in the point?

A. Right, sir. All of us all carried the same thing.

Q. How many frag grenades did you carry?

A. I carried four.

Q. Did you carry any tear gas grenades?

A. No, TAYLOR carried some of those.

Q. TAYLOR carried some?

A. Right, sir.

Q. Was this CS, or was it tear gas, or was it the stuff that makes you sick, CN?

A. No, it was the stuff that made you cry a lot. We threw one down a tunnel once. They didn't all clear out. We went down in the tunnel. Things just weren't the same when we came back out. Couldn't even see straight.

Q. Did you get sick to your stomach?

A. No, sir.

Q. So, TAYLOR carried about three of the grenades of the CN?

A. Right, sir. I think TAYLOR and HOOTON both did at that time. Off and on, they would switch off and on.

Q. Now, you carried frag grenades, did you say?

A. Right, sir.

Q. The rest of them carried frag grenades?

A. Right, sir.

Q. All right, how about demolitions. How much demolitions did you carry?

A. C4?

Q. Yes.

A. Well, TAYLOR used to carry about 2 pounds of C4. TAYLOR would carry a couple--I mean HOOTON would carry some too, about 2 pounds of C4 in little black cans like so. (indicating) That was about all.

Q. Did you carry any TNT at all?

A. Yes, some TNT. We hardly--very seldom used it.

Q. Did you have any trouble getting C4?

A. No, sir.

Q. You had blasting caps?

A. Right, sir.

Q. Did you use grenade pins?

A. Blasting caps.

Q. What did you use, time fuse?

A. No, sir. It was up at LZ Uptight. I asked an officer long before we came with some Vietnamese outfit. They had left a bunch of Claymore mines behind.

Q. Yes.

A. The C4 was gone out of them, but they had left the cables and blasting caps still in them. So, we just took those out and used those as our blasting caps.

Q. You inserted those in the C4?

A. Right, sir.

Q. Was this a timed release, or a timed-trigger mechanism?

A. No, sir. Soon as we pull that--

Q. (Interposing) As soon as you pulled that pin, it would detonate?

A. It would detonate. Sometimes we would just take the fuse itself. I don't know how TAYLOR did it. He knew what he was doing, I guess. But he would somehow hook a fuse up to it. After cutting the wire, he would hook a fuse to it. Like, we had some bomb that was dropped from a plane. It hadn't gone off. We ran across it. We just tied about four sticks to the bomb. He used a fuse, and he lit it. Everybody just disappeared for a while until it went off. Otherwise we just used regular detonators on them because we never ran across anything that big.

Q. All right. Then what was the total amount of explosives that was carried by the point group?

A. About 6 pounds.

Q. Six pounds? And how many grenades, total number of grenades did you carry?

A. Hand grenades?

Q. Yes.

A. Well, I had four, TITTLE had about four. HOOTON and TAYLOR carried about two, because each one would carry about two CS grenades.

Q. All right. Now, in the point group when you were moving ahead of the platoon and you were moving say into a village, what procedures did you use? Did you break down into pairs or did you stay together as four people?

A. We stayed together as four people.

Q. You covered each other as you moved through?

A. Right, sir.

Q. Well, what procedure did you use to search out hootches?

A. Well, first it was yell into them to see if anybody was in there.

Q. What did you yell?

A. I don't know. We'd start screaming at them or something.

Q. In English?

A. Yes. None of us knew any Vietnamese. This was bound to shake them up at least to make them look out, you know, or something. Then one of us would stick our head in and see if anybody was in there. And, if nobody was in there, we just usually would go and search someplace else. If we didn't find anything we just moved out. Usually we'd find a lot of dried-up rice in a lot of these places. Sometimes we even found--we asked--we went down in this one tunnel. We asked the villagers before we even went down there if there was any VC

around. They kept on saying "no, no, none whatsoever." We went down one of these tunnels. We found food that was still warm. And, yet there was no one around. So, we came back up. We pretended like we were pulling out. They dropped about four or five of us behind. We paired off and were going to go back and take cover around the village area to watch to see who came back, you know. Eventaully, I guess, there was a new sergeant, sergeant E-6, in the 3d Platoon--third squad was with us that day. Anyway, he caught three of them coming back in loaded with their weapons and the whole works. I guess he shot one of them. At the same time he was shooting, he threw two grenades. I don't know how he did it, but he did it. And, well, he only hit one of them with it. I guess he hit him right above the lip and mouth. I guess he ran about fifty yards before he fell. HOOTON and I just decided to follow the blood tracks, you know, and found him. We took his pistol belt. He had about six grenades on him, canteen, and a knife. I guess the other two that were with him grabbed his weapon and run off with it. That's all that from them, just that.

Q. Well, now, when you searched the hootch out I understand you moved onto the next one. What about the--I'm not talking about the tunnels now--what about the shelters down there that they used to--

A. (Interposing) Inside the hootch itself?

Q. If there's one inside the hootch itself? If there's one inside or one outside, which ever place it may be?

A. Well, usually we'd take a grappling hook, or something and it was just covered up with wood. We'd just take a grappling hook and stand outside and pulled the thing off, in case it's booby trapped.

Q. At the top of the bunker? Are you talking about the top of the bunker?

A. No, inside the hootch itself. They got a hole there that they used to crawl into, see.

Q. Yes.

A. They usually have wood or a bed over it or something like that. We usually used a grappling hook or something like that and just pull it off. If nothing happened, one of us would go inside and peek and see if anything was in there down in there, you know. They'd usually send one of us down in there to see if we could find anything, that's when we'd use our C4 or TNT that we got, and just cave it all down inside there. It all depended what we got down there.

Q. Who carried the grappling hook?

A. TITTLE. It was just a small one.

Q. With a rope on it?

A. Right.

Q. All four pulled?

A. No, just one pulled.

Q. Just one pulled? Well, now I thought they had a little more dirt on top of these things than that?

A. Not outside the hootches. If we moved into a village, a helicopter would bring us in. Usually we'd catch these people unprepared for it. So, then they got time to really cover up anything by the time we got there.

Q. I'm talking about a bunker now.

A. Oh, a bunker.

Q. A shelter bunker.

A. A shelter bunker?

Q. Yes.

A. The way we'd go about that is usually we'd look at the entrance to it from a distance. Usually we'd see if it was a hollow mound of some sort. We would slowly move along side it or something like that. If it looked like an enemy bunker we'd toss a grenade in it first before doing anything else. That's about it. Then after the grenade went off, we'd go inside and search.

Q. How could you tell the difference between an enemy bunker and a family bunker?

A. Well, an enemy bunker usually has two exits to it, which we have found out from our training when we first got over there--an enemy bunker usually has two exits to it. We always--sometimes we would toss a smoke grenade in there first to find out if it really is an enemy bunker or not by where the smoke comes out the other end. Which we found a lot of them that way. We even found one of them in a hay stack once. We tossed a smoke grenade in there and covered it up with hay again and smoke came up on the side of a hill somewhere.

Q. It sounds like a tunnel?

A. Yes, well--

Q. (Interposing) Tunnel or bunker. You all talk about them the same way?

A. Yes, about the same way.

Q. Well, did you try to get anybody out of the bunkers before you blow them?

A. Yes, sir. If we didn't find anything we sometimes didn't blow them up.

Q. That was my next question. Based on the amount of demolitions you had, how many bunkers do you figure you were going to destroy?

A. Usually about--maybe not the bunkers, maybe just the tunnels. That's the one thing that Lieutenant SPRAGGINS told us when we were going in was that we were going in there for the tunnels. That's why we carried a lot of TNT with us is to blow up the tunnels that we found.

Q. You didn't have much?

A. We never did find any real large complex. Sometimes usually a grenade in the side of a wall would do the job. That's what I did once. I just used a grenade. I used to get a bunch of loose dirt around the sides, put the grenade in there, put cotton in my ears, pull the pin, and run off into a corner or someplace in a tunnel or someplace and let it blow. The only thing that worried me was whether the thing would come down or not on me. Usually it stood up pretty good.

Q. Did you ever take any demolition training?

A. No, sir.

Q. Anybody in that group ever take any demolition training?

A. I think TAYLOR did.

Q. Where?

A. I do not know, sir.

Q. Of your time serving with this point group, how long did you work with them?

A. I worked with them about 2 months. The last 2 months I was there.

Q. As a rule, if you went into a village and there were, say 20 bunkers in the village, about how many of those did you search?

A. With all of the company helping us, we searched all of them. Every one that we could find. Everytime we went into one a small village, we seemed to spend more time there than in a large one, for some reason. One time we went to one village and spent almost all day in there. I mean, I think--what was his name? He was with MILUS and MADISON with the machinegun. Anyway, he found a cache of M-60 mortar rounds and rockets and all that one time in one village just--right down from LZ Dottie, not too far from there.

Q. Well, are you talking about normal operations when you were searching these bunkers? Have you, while you were there, experienced a situation where you were moving into a village and were fired upon, and you returned fire to that village, and then searched out these bunkers? Was there any difference in procedure?

A. Yes, sir.

Q. What was the difference?

A. Well, it depends how much--usually it depends how much fire. If we just hear a little shot or something like that we won't go through tearing up the place or anything like that. Usually the villagers themselves, usually if there's any VC in the village itself, they won't be in the village for some reason. You may hear a couple shots and you go through and tear the village apart. You won't find anybody in there for some reason. That's just the way they are. If you went through one village that there was nobody at all in there. We walked a little ways down the road. That's when we got pinned down for about two and a half hours. But, there was no one around.

Q. From the village?

A. Yes, no one from the village at all.

Q. In the event that you would receive fire like that, what procedure did you use to search out those bunkers then?

A. More caution than we ever would before. It's still about the same procedure though, that we always used.

Q. Was it normal to throw frag grenades in these bunkers, or to throw C4 in there?

A. Sometimes we'd throw C4 in there.

Q. Why did you do that?

A. I think it made a bigger blast for one. I think it's more destructive and has more concussion than TNT has. At least that's what--I didn't know that much about it, but that's what TAYLOR says. That's why he carried more C4 than he did TNT.

Q. It made a bigger blast for what purpose?

A. Destroying the bunker, or tunnel. Whatever we used it for.

Q. How much earth cover did these bunkers have?

A. On the inside to us--on the outside they had quite a bit, but inside, they looked kind of thin. He had a grenade. You toss in the grenade. The grenade won't blow it apart. That's why we used C4. It did a pretty good job on it.

Q. Anybody ever go in there and put the explosives on the timbers that hold up the dirt?

A. No, sir.

Q. Have you ever been on a search and destroy mission with B Company?

A. Right, sir. When we went on this search and destroy mission we--well, we weren't supposed to go on any patrol at all, but they said there was a VC battalion that had been located in the My Lai area. We left on trucks and APC's that night. There was supposed to be an ARVN, mechanized ARVN infantry unit backing us up. We got pinned down out there, actually ran into them the next day. We couldn't get any air support in because it was overcast that day and raining. All we had was artillery pounding the village out for a while. I guess, we still couldn't move anywhere, because they didn't seem to move. They still had us down there. We were waiting for that mechanized armored cav unit to come in there and pull us out, but they didn't show up. We had to call in about six APC's of our own. They lost maybe four men off in the tanks coming in to get us out. Our platoon didn't lose anybody. I think the 2d or 3d Platoon that was out there with us lost two men. They lost their platoon leader who was shot in the back. One of the other guys was shot in the leg. That day there MILUS and MADISON got the Bronze Star. There was a medic in that other platoon got a Bronze Star for it. Eventually he got a Silver Star a few days later.

Q. Medic?

A. Medic.

Q. That was a search and destroy mission. Do you remember that clearly?

A. Right sir. That's what they told us before we left. We were going out on a search and destroy mission. To go through a village searching and destroying--search and destroy operation.

Q. Did you burn the villages at that time?

A. No, sir.

Q. Why?

A. We didn't have to. The artillery did it for us.

Q. What do you mean?

A. Well, when we went up to this village with them in it, they opened up on us. We couldn't go any further.

Q. Yes.

A. So, I believe it was Captain MICHLES called in for air support and we didn't get any. So, then we called in for artillery that Dottie gave us. They just tore the village apart.

Q. How do you in the point usually report a body count?

A. Do you mean the enemy?

Q. Yes.

A. We never have.

Q. Never have? Nobody ever asked for it?

A. No, sir, we never did see any bodies.

Q. Why?

A. I guess we never got that close to see any of them.

Q. How about this fellow that you found when you followed the blood trails?

A. He was the only one that I know of. That was the one. We just had one. That wasn't the point squad that found him.

Q. It wasn't? Who found him?

A. The sergeant shot him. He hollered for HOOTON and I to follow him after he took off running. We followed him. You might say the point squad found him, but there wasn't--

Q. (Interposing) Was this guy killed?

A. Yes, he was dead. That was the only VC body that we had ever seen. Enemy, I only saw one.

Q. Well, how did you report the other bodies?

A. Never did see any other bodies.

Q. Well, how did you report this one fellow that you found?

A. I didn't. The sergeant reported it. All we did was tell him that he was here. We drug him out.

Q. TAYLOR?

A. No, it was HOOTON and I drug him out.

Q. Yes, but what sergeant are you talking about?

A. I don't know. He was the squad leader for the third squad.

Q. Oh, he's the one that set up the ambush then?

A. Yes, he's the one that set up the ambush.

Q. You all never did report body count?

A. Not as far as I recollect, I never have.

MR WALSH: Who was your replacement?

A. I really don't know. I wasn't there when he came in. They were getting replacements all the time for different people. Even though we didn't need them, we still got them.

Q. You don't know who worked with the point team after you left?

A. Three of them stayed together.

Q. There wasn't a point team after that?

A. No. HOOTON came back. I think they assigned somebody else. I wouldn't know who it was, when HOOTON came in. Anyways, after that it only left two. I think they added a couple more into that later on, but I wouldn't know. I wasn't there when they did it.

Q. Do you know where HOOTON is now?

A. No, I don't. I haven't seen him since I left.

Q. Did you run into Terry REID after this operation?

A. No, I haven't. Never did.

Q. I mean in Vietnam?

A. Oh, yeah, after that operation. I think about the middle of March, on the 21st, 22nd of March. I went back up to LZ Dottie where the company was at because they had my medical records up there. I was told to go and get them. That's the only time I met him. I spent the night up there with him. Him and REID, and, let's see, who else was there? Walter JONES. I stayed right there in the bunker that night.

Q. Was there any discussion about this operation?

A. None, whatsoever. Half the time when we went out on an operation or anything like that, we were never told there was an operation. Nobody ever knew of an operation when I went out. They never told us anything. We just went, you know, like what we were told.

Q. Do you remember who the medic was for the first platoon?

A. No, that's what I've been trying to remember. He was a nice guy, too. He made E-5 just before I left. The only medic I remember was SWEENEY.

Q. I beg your pardon?

A. SWEENEY, was the only medic I remember. I think he was the company medic. Otherwise I can't remember any. I even looked on the roster here to see if I could recognize the name if I run across it.

Q. Walter JONES was in the 1st Platoon?

A. He was at first, but he got--I guess some of the other platoons were needing some men, squad leaders, and he went over to one of the other platoons and took over one of the squads.

COL WILSON: Did you have any knowledge of an investigation or an inquiry going on on this operation prior to the time you left Vietnam?

A. No, I didn't even know that a massacre or anything had taken place. I thought it had just recently taken place, because, I didn't hear anything about it, until just not too long ago.

Q. Did you know a man named SILVA?

A. SILVA? Yes, he was our medic. I forget what his first name was. Yes, we gave him the nickname of "Tiny" because he was so small, you know, chubby. He was a good medic, too.

Q. You don't know what his first name was?

A. No, I don't.

Q. Were you, or anyone that you know, ever questioned on this operation?

A. That I know?

Q. Yeah.

A. No one I know.

Q. Nobody ever questioned you?

A. No.

Q. Did you ever hear any rumors that civilians had been killed unnecessarily by either C/1/20, or B/4/3 on the 16th of March?

A. No, just what I heard on the radio reports. I didn't know that we were involved in it at all.

Q. What radio reports?

A. Radio and television newscasts on the My Lai massacre and what took place. They never give a date when it did take place, so I always thought that it had taken place--

Q. (Interposing) You're talking about back in Vietnam, or here in the States?

A. In Vietnam. Oh, you mean--I mean since I been back here in the States.

Q. I'm talking about when you were in Vietnam.

A. No, I never heard anything about it.

Q. I mean rumors, not press releases.

A. No, there was no rumors at all about it.

Q. Nobody ever said anything about that operation?

A. No one said nothing to us about it.

Q. Nobody was ever talking about it back in Duc Pho? Did you ever see any fellows from C Company back there?

A. 4/3?

Q. No, 1/20?

A. No, I never did see anyone.

Q. Part of Task Force Barker.

A. No, I never saw any of them. Only once when I saw them and that was one operation out there. They came in and took our place and we left.

Q. Did you ever see any of those military intelligence people back there? MI type?

A. No, I never saw any of these. The only ones I saw were--who looked strange to me, was the Vietnamese interpreter we had with us--who went along with us.

Q. Who was that?

A. I don't know his name. He was a Vietnamese, South Vietnamese, but, I didn't know his name.

Q. How often did he go?

A. He went out--all depends on what kind of operation it was. He knew when we were going into a village then he would come along with us. Like we had an assault on one village. I think if there was any shooting going on, he did it. He ripped the hell out of a couple of people there. I guess one guy tried to get away from him once, you know, and--

Q. (Interposing) Was he an ARVN soldier?

A. Right. He spoke better English than I did when he spoke.

Q. He didn't speak very often?

A. No, I hardly ever saw him. He was always up with the captain, or something like that. I never did see him.

Q. How long was he with the unit?

A. I wouldn't know.

Q. Was he with the unit when you left?

A. Off and on, yes.

Q. How about marijuana. Was there any problem with marijuana in B Company?

A. Any trouble with it?

Q. Yes. Trouble or problem, either.

A. You mean getting it?

Q. I mean using it.

A. There was no trouble getting it. But, I never did use it.

Q. What about anybody else?

A. I wouldn't know. I've never come across it. We've had it there with us. A lot of times we just sit there and look at it.

Q. What did you look at it for?

A. I just wasn't interested in it. I have never taken dope in my life, so--

Q. (Interposing) How about anybody in the point group, did they use that stuff?

A. I don't know, sir.

Q. Anybody in B Company that you know of use marijuana before or during an operation?

A. Not during or before an operation. There was one person. I can't remember who he was. He was one of the new guys in the outfit. Then he went back to Chu Lai. He was back there, and they had just like a regular pot party going on in his tent. You could smell it when you walked in. I can't remember who he was. It was such a long time ago.

Q. Did you ever hear any rumors aside from what you told me about the interpreter pertaining to any U.S. or ARVN personnel torturing VC suspects or prisoners?

A. None whatsoever.

Q. You didn't hear any rumors? Did you ever see anything like that?

A. No, sir. Only once when we took this old man and he was trying to get away and he was crawling down a hole. TAYLOR reached down and grabbed him and yanked him back out of the hole. We just turned around and gave him to the CO.

The interpreter started talking to him. That's the last we ever saw of him. I don't think any one ever beat him or anything, because we just left after that.

Q. Did you ever have the engineer demolitionist working with you?

A. We called him in once. And there was this village. A bomb was there--see this was before we started taking C4 and that stuff out with us. There was a bomb there or something. They called in this demolition team from Chu Lai. They went in and they blew it up for us. They just got on the helicopter and took off again. That's the only thing that I remember happening.

Q. Now, you didn't work with them very much then?

A. No. Not with the demolition team.

Q. Now, let me ask you something about TAYLOR. If TAYLOR had gone up to a bridge and found a couple of mines that had been put in there, would he have asked for the EOD specialist in the company who was a man named GUTHRIE to come forward, or would he--

A. (Interposing) TAYLOR would have tried anything.

Q. Would have tried to disarm it himself?

A. TAYLOR was kind of (pointing to his head)--about that stuff, and he didn't seem to be scared of anything. He would have tried it himself.

Q. If he attempted to disarm this mine, it is not likely that he would have been wounded in the foot. It would probably have gotten him in the head.

A. Right.

Q. Now, he either stepped on the mine, or fell on it.

A. HOOTON or the company clerk told me that he was digging around the mine and his foot--he was laying down, and his foot came across another one when he was on the ground which blew his foot off. That's what I was told.

Q. He was trying to disarm one mine and his foot hit another one.

A. Foot hit another one, right.

Q. I wonder if he saw that other mine?

A. He might have, but it probably would have slipped his mind. He probably had his mind on this one mine at that time.

Q. How far off the road did they say this one mine was, or was it right on the road?

A. I think they said it was right on the very end of the bridge, off to one side.

Q. Mr. LONG, do you have any further testimony or statements that might assist us in this investigation?

A. No, sir.

Q. Did you ever save any photographs that were taken in this area during this operation?

A. No, sir.

Q. I request that you do not discuss your testimony in this investigation with others including other witnesses for the investigation except as you may have a right to do so before a competent judicial or legislative body.

A. Yes, sir.

Q. Okay, thank you very much for coming in.

A. Yes, sir.

COL WILSON: The hearing is recessed.

(The hearing recessed at 1435 hours, 4 February 1970.)