**Knowledge of Incidents Related to the Son My Operation**

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<td>Gunships and Liftships Fire on My Lai (4)</td>
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<td>Reports of Departure of VC from My Lai (4)</td>
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<td>Report of 69 VC KIA by Artillery</td>
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<td>Absence of Reports of Enemy Contacts &amp; Requests for Fire Support</td>
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<td>Low Ratio of Weapons Captured to VC KIA</td>
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<td>WGI Thompson's Complaint</td>
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<td>Commander's Order to Return to My Lai (4)</td>
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**Legend**

- **Confirmed**
- **Probable**

- M = March
- A = April
American imperialists make Vietnam aggressive war, but he said that he came here to "help" our people and he calls himself as our friends.

When he arrives in South Vietnam he tries to hide his bad aggressive ambition. He told his troopers to respect Vietnamese people and make good relationship with them. His psyops also give troops "commandments" whose contents are "Have to respect women and Vietnamese traditions and customs."

When American troops had just arrived in Vietnam, they tried to show themselves as "Honorable gentlemen" selling or buying fair and square, even, paying higher than market prices. When they destroyed something, they paid for it with money. Then some posts allowed people to come, and doctors were sent to some where to give people medical aid. American press shows some pictures of Americans and Vietnamese shaking hands - Americans kiss Vietnamese people and give them candies - or Americans with Red Cross signs at their arms give medical aid to Vietnamese people ... and they boast that this is one of familiar pictures around American troops locations.

This demagogy makes some ARVN troops believe Americans are good friends. How happy it is if we have such good and rich friends!

But any play has to end, although the actors are skillful, but they play only one act, they will become soon unskillful - and the play will become a bad one. So the demagogy will become "true", "unmask", easier than any plays.

The role can be played more beautifully if U.S. troops collect more victories every year, but they are beaten more heavily by our people year by year. So the demagogy is unmasked more easy. Now, U.S. troops can not hide anything, they have shown all bad ambition which belongs to any aggressive troops. In sweep operations, they loot people's properties, destroy everything, rape women, they have shown their animal ambition, their civilization. In Saigon one American had put his penis outside his pants, and one dollar was put on it, which he paid to a girl. U.S. troops play girls every public areas: beach, roadside ... they do not care about people passing by. In U.S. troop locations, they search people to get piaster, gold rings, watches, ear rings, they are so cunning that they do not pick up false gold.

Due to their great defeats in the recent Spring, they are like wild wounded animal, the more they wriggle, the more bad actions are done - definitely inhuman doings. They had dropped bombs at random onto populous areas and cities such HUE, SAIGON, BEN TRE. They confirmed that 90% of houses were destroyed in HUE City. Thousands of our people were killed or homeless. Western newspapers and radio stations also confirmed that all the damages of houses in South Vietnam cities came from American bombs and ammo because U.S. has more fire power than NLF troops. British newspapers said Americans
bombed cities, especially Saigon City, it would be condemned by opinion it was too much when Americans did that. Japanese public opinion said: America would be isolated and lose appreciation when they bomb South Vietnamese cities. It would make an anti-American wave in the South Vietnam, unless the world public opinion protested, and also there was not a unanimity of Allies. Americans still close their eyes, shut their ears to perform their cruel acts.

A sweep operation was conducted on 15 Mar 68 recently in SON TINH. Crazy American enemy used light machineguns and all kinds of weapons to kill our innocent civilian people in TINH KHE Village (SON MY (V)). Most of them were women, kids, there were some just born babies and pregnant women. They shot everything they saw, they killed all domestic animals, they burned all people's houses. There were 26 families killed completely - no survivors.

The fierce devil Americans dropped down their priest covers to become barbarous, and cruel.

American wolf forgot their good sheeps' appearance. They opened mouth to eat, drink our people blood with all their animal barbarity.

Our people have only one way, it is to kill them so they can not bite around anymore.

Vietnam officers, soldier brothers, it is about time to know the true face of Americans. There were so many times they forgot you when you were bitten by NLF's troops but they have never fired any mortar round to support you. Even they are right beside you and they also dropped bombs on puppet dead bodies to suppress and sometimes they mortared right on your formation.

The position of puppet troops as their targets are so clear. Any one still doubt, just look at the 39th Ranger Battalion stationed in KHE SANH area. They used the unit as an obstacle in the front for American Marines, you already know they offered this battalion as "ready to die" but it doesn't mean the same as the meaning of "die for fatherlands" as NLF soldiers, they said that because they wanted to protect 6000 American troops there.

Is it the American civilization it is the good of friend as you see them - a murderer, killed your blood people - made a vietnamese blood stream running in our own bodies - as an allied or not?

What are you waiting for! Use right American guns to shoot right their heads in order to avenge our people, to wash out insult to our nation and save your proud and your own life.

This time: more than ever before
American guns are in your hands
Point to American heads and shoot!

A TRUE TRANSLATION TO THE BEST OF MY KNOWLEDGE, CHU LAI, REPUBLIC OF VIETNAM

JANUARY 1970

BILLY M. STANBERRY
Lieutenant Colonel, US Army
Chapter II

SUPPRESSION AND WITHHOLDING OF INFORMATION

A. INTRODUCTION

One aspect of the Son My operation most difficult to comprehend is that the facts remained hidden for so long. Within the Americal Division, at every command level from company to division, actions were taken or omitted which together effectively concealed from higher headquarters the events which transpired in TF Barker's operation of 16-19 March 1968. Some of these acts and omissions were by design, others perhaps by negligence, and still others were the result of policies and procedures. Outside the Division, personnel in the Province and District and possibly the 2d ARVN Division Advisory Teams also contributed to the end result.

The purpose of this chapter of the report is to identify, insofar as it is possible at this time, those acts and omissions which aided in the concealment from appropriate authorities of the true facts of the Son My operation. In this connection, it should be noted that efforts to withhold information continue to this date. Six officers who occupied key positions during the Son My operation exercised their right to remain silent before this Inquiry. There is evidence that an even larger number of witnesses either withheld information or gave false testimony, and no trace has been found in US files of several contemporaneous documents bearing upon the incident. Despite such obstacles to the complete development of the facts, it seems clear that the following acts and omissions constituted or contributed to the suppression or withholding of information concerning the events which took place in Son My Village on 16 March 1968.

B. C COMPANY, 1ST BATTALION, 20TH INFANTRY

1. Failure to Report Acts of Murder and Other War Crimes

It has been established elsewhere in this report that members of C/1-20 Inf did not report the crimes perpetrated by
that unit in Son My Village on 16 March 1968. While no explana-
tion is needed in the case of those members who actively partic-
ipated in criminal acts, C Company's collective failure to make
any reports of crimes committed on the operation probably re-
sulted from the large proportion of its members implicated in
such acts and from the apparent sanction given to the entire op-
eration by company officers. The sheer enormity of the acts
committed by some and observed by all on 16 March caused many of
the men to put the Son My operation out of their minds and to
avoid talking about it even among themselves. This collective
reluctance to expose what had occurred was facilitated by the
nature of the operation, which isolated C/1-20 Inf from other
elements of TF Barker, by the fact that the company was detached
from its parent battalion at the time of the operation and re-
mained so for some weeks thereafter, and by the fact that Son My
Village was located in a VC-controlled area.


It is clear from the testimony of persons who were with
the C/1-20 Inf command group on 16 March that a far greater num-
ber of noncombatant casualties was observed by CPT Medina than
the 20-28 he reported. That CPT Medina reported any noncom-
batant casualties at all is probably due to the fact that COL
Henderson had observed some bodies of women and children on the
ground and questioned LTC Barker about them, or to the circum-
stance that a large group of bodies (largely women and children)
were lying in the open on the trail leading south from My Lai (4),
in plain view of anyone flying overhead. In any event, the result
of CPT Medina's admission that some noncombatants had been killed,
coupled with the false attribution of such casualties to artillery
and gunships, provided the basis subsequently used by COL Henderson
to explain and dismiss the Thompson Report.

3. Instructions Not to Discuss or Report the Operation of
16 March

Upon their return to LZ Dottie on 18 March, the members
of C/1-20 Inf were advised by CPT Medina that the incidents of 16
March were to be investigated and that they were not to discuss
them except in the course of the investigation. This action,
combined with the natural reluctance of many of the men to dis-
cuss the acts they had participated in, proved an effective means
of containing the story of Son My within C Company. In the same
sense, CPT Medina advised a member of C/1-20 Inf, who had indi-
cated an intention to write his Congressman concerning the opera-
tion, not to do so "until the investigation was complete."
C. B COMPANY, 4TH BATTALION, 3D INFANTRY

1. Reports of VC Killed

On 16 March, B/4-3 Inf reported a total of 38 VC killed in action (KIA) at My Khe. Testimony reveals that, at a minimum, such reports included women and children killed by B Company's 1st Platoon. While there is no testimony to indicate that CPT Michles had knowledge of this, there is evidence that L1T (now CPT) Willingham was aware that the majority (if not all) the persons reported as VC KIA were women and children. On the afternoon of 16 March, in response to a request for information concerning the number of women and children who may have been killed, CPT Michles submitted a negative report to TF Barker. It is not known whether CPT Michles made this report knowing it was false or innocently transmitted a false report made to him by L1T Willingham.

2. Failure to Report Acts of Murder and Other War Crimes

Testimony presented to this Inquiry indicates that acts of murder and aggravated assault were committed by members of B/4-3 Inf during the Son My operation. None of these criminal acts was reported outside the company, probably as a result of factors similar to some of those mentioned above in connection with C/1-20 Inf.

D. TASK FORCE BARKER AND 11TH BRIGADE

Some of the most significant acts of suppression and withholding of information concerning the Son My incident involved the commanders and certain key staff officers and other personnel of TF Barker and the 11th Brigade. Due to the fact that several of these individuals (other than LTC Barker, who is dead) either gave false testimony before this Inquiry or refused to give further testimony, or both, it has not been possible to sort out acts of concealment that may have been initiated by and known only to TF Barker from those done or approved by the 11th Brigade as well. False and misleading testimony by COL Henderson; the death of LTC Barker; the refusal to testify further by MAJ McKnight, MAJ Calhoun, and CPT Kotouc; and the professed inability of LTC Blackledge, MSG Johnson, and other key personnel to recall any significant information have together precluded a reconstruction of exactly what transpired between the two headquarters. For this reason, the roles played by TF Barker and the 11th Brigade in the suppression and withholding of information are considered jointly.
1. Failure to Report Casualties Inflicted by C/1-20 Inf

After 0840 hours

Until 0840 hours on 16 March, C/1-20 Inf had apparently been reporting to TF Barker as VC KIA all persons they had killed in My Lai (4), although few if any of the victims had actually been identified as VC. After 0840 hours, no further reports of VC KIA by C Company were recorded by TF Barker and the 11th Brigade, or reported to Division headquarters. The discontinuance of these reports conceivably was initiated by C Company even though there is some evidence that CPT Medina did make further reports of VC KIA. More probably, recording and reporting of VC dead reported by C Company was halted by TF Barker either in response to the order from COL Henderson to stop the "unnecessary killing," or to avoid attracting undue attention to C Company's operations in My Lai (4). It is entirely possible that such action was either ordered or condoned by COL Henderson, who was present in the TF Barker TOC between 0840 and 1000 hours on 16 March.

2. Failure to Report Noncombatant Casualties

It is clear from the testimony of many witnesses that any overflight of My Lai (4) on the morning of 16 March, at an altitude of less than 1,000 feet, would have permitted observation of a large number of bodies of noncombatants. According to COL Henderson's testimony, he observed 6-8 such bodies early on the 16th and discussed this matter with MG Koster about 0935 hours at LZ Dottie. Others in COL Henderson's aircraft admit to seeing 15-20 bodies. By noon, LTC Barker had been advised of the Thompson Report by MAJ Watke, and during the afternoon hours LTC Barker and MAJ Calhoun were both aware of a report from CPT Medina that 20-28 noncombatants had been killed.

A 1555 hours entry in the TF Barker Journal recorded that "10-11 women and children were killed" in the C Company area of operations. By early evening, COL Henderson was admittedly aware that at least 20 noncombatants had been killed.

While some of this information may have been given by COL Henderson to MG Koster in oral reports, such reports could not have been considered a substitute for the normal spot report required when any friendly forces, any enemy forces, or any civilians are known to have been killed.

In addition to the requirement for an immediate spot report concerning casualties of any type, directives from MACV, USARV, and III MAF in effect at the time clearly required civilian casualties to be reported as a special matter. Had such a report been made as required, it might well have generated a thorough investigation of the Son My operation.
3. Changes in Report of 69 VC Killed by C Company

One of the most obvious efforts to suppress information uncovered by this Inquiry concerns the matter of 69 VC purportedly killed by artillery. The source of this false report has not been established, but it is known that by 0758 hours on 16 March C Company had reported 14 VC KIA in the hamlet of My Lai (4) and one VC KIA at the LZ just west of My Lai (4). It is also known that LTC Barker, who was flying over My Lai (4), received a radio message at about 0830 hours advising him that C Company's VC body count had reached 84. Shortly after receiving this message, Barker advised the TOC that he was coming in and would bring them "up to date." Returning to the TOC at LZ Dottie, Barker met with COL Henderson, LTC Luper, MAJ McKnight, and MAJ Calhoun. An entry was made in the TF Barker Journal as of 0840 hours of 69 VC KIA at a location (by map coordinates) in the hamlet of My Lai (4). Inexplicably, this report of 69 VC KIA was not reported to the 11th Brigade TOC for about an hour. The delay alone is suspicious for several reasons. First, there is the operational requirement to report immediately information of this type—a requirement which TF Barker fulfilled in transmitting all other VC body count reports on 16 March. Secondly, the natural reaction of a combat unit in reporting such obvious proof of success is haste, not an hour's delay.

During this period of almost one hour during which the report of 69 VC KIA was held at the TF Barker TOC, a decision was apparently made to attribute the cause of death to the artillery preparation and to shift the location at which the VC were reported killed from inside the hamlet to a point 600 meters outside the hamlet and generally on the gun-target line from LZ Uptight to the C Company LZ. This decision was reflected in an entry at 0930 hours in the 11th Brigade Journal and in a report made by the 11th Brigade at the same time to Division. There was no factual basis for attributing the killing to artillery, and the change of map coordinates cannot reasonably be explained as resulting from a transposition of numbers or some other inadvertent error.

A reasonable inference is that the changes effected in the original report of the 69 VC killed by C Company were made to lessen the attention which might have been attracted had the original report reached Division headquarters. Such a report would have reflected a total of 83 VC killed by small arms fire at a single location inside the hamlet of My Lai (4). Coupled with the absence of any casualties to C Company personnel and the few weapons captured, it might have prompted inquiries that could not readily have been answered.
4. Failure to Report Allegations of War Crimes

A most significant act of withholding information is the apparent failure of TF Barker to report to 11th Brigade (or, alternatively, the failure of the Brigade to report to the Americal Division) the allegations of WOl Thompson, which were reported by MAJ Watke to LTC Barker shortly after noon on 16 March. There is some testimony that after MAJ Watke apprised LTC Barker of the complaints of WOl Thompson, Barker left LZ Dottie ostensibly to visit C Company. There is little evidence to show that he made any real effort to investigate the charges; in fact, the Inquiry has failed to uncover a single member of C Company who recalls Barker landing at Son My at any time during the operation. There is a similar absence of any evidence that Barker reported Thompson's allegations to 11th Brigade. If he did, his report was neither recorded nor relayed to Division by the 11th Brigade.


During the course of the Son My operation, both B and C Companies engaged in extensive destruction of private dwellings and structures through demolition and burning. There is ample testimony to establish that such destruction had been ordered by LTC Barker and must have been observed by COL Henderson and MAJ McKnight. Although such acts violated MACV directives and the strong policy within the Americal Division against the burning and destruction of houses, no report of these violations was made.

6. Change in Report of 30-40 VC Departing My Lai (4)

At about 0900 hours on 16 March, during the interrogation of a Vietnamese inhabitant of My Lai (4), C/1-20 Inf received information that 30-40 VC had departed the hamlet prior to the combat assault. This information was apparently transmitted to the TF Barker TOC where, for reasons unknown, it was not recorded in the unit journal. The records at 11th Brigade, however, do reflect this information in a journal entry made at 0915 hours. At the Americal Division TOC, however, it was recorded that the prisoner "so far has said their (sic) acts of VC in vic BS716788." The reason for this erroneous entry has not been explained. It may have resulted from a simple error in the transmission of information, or from a deliberately false report made to withhold from Division the fact that the VC had departed the area prior to the combat assault and to create the impression that C/1-20 Inf was involved in a contested combat action. This matter is discussed in more detail in Chapter 10.
7. TF Barker's Combat Action Report

Periodically, the Americal Division would direct subordinate elements to prepare special after-action reports on operations which appeared to have been particularly successful. The Son My operation was selected as the subject of such a report, and on 28 March 1968, LTC Barker submitted a Combat Action Report (CAR) to the 11th Brigade, covering the period 0730-1800 hours, 16 March 1968.

In this report, LTC Barker made no mention of the many non-combatants killed by C Company on 16 March, although US and claimed VC casualties were reported. He disingenuously explained the problem of "population control and medical care of those civilians caught in fires of the opposing forces," but there was no mention of the magnitude of the problems of that type which TF Barker actually encountered on 16 March. In an apparent reference to WO1 Thompson's aero-scout unit, he reported that helicopters assisted civilians in leaving the area, but again there was no indication of the true circumstances of this aspect of the operation.

The report contained a narrative description of the operations of B and C Companies on 16 March that was pure fabrication. It described an artillery preparation on the enemy "combat post positions" which killed 68 VC. It reported contact with "two local force companies and two or three guerrilla platoons" until 1630 hours when "surviving enemy elements had broken all contact."

An appreciation of the misleading and deceptive nature of LTC Barker's report can be gained from the following extract:

"Commander's Analysis: This operation was well planned, well executed, and successful. Friendly casualties were light and the enemy suffered heavily. On this operation the civilian population supporting the VC in the area numbered approximately 200. This created a problem in population control and medical care of those civilians caught in fires of the opposing forces. However, the infantry unit on the ground and helicopters were able to assist civilians in leaving the area and in caring for and/or evacuating the wounded."

The Combat Action Report can only be considered an effort by LTC Barker deliberately to suppress the true facts and to mislead higher headquarters into believing that there had been a combat operation in Son My Village on 16 March involving a hotly contested action with a sizable enemy force.
8. Withholding and Suppression of Knowledge and Evidence of War Crimes by Information Office Personnel

On 16 March, a two-man team from the 31st Public Information Detachment, a part of the 11th Brigade, accompanied C/1-20 Inf on the combat assault. These men, SGT (now Mr.) Ronald Haeberle, photographer, and SP5 (now Mr.) Jay Roberts, journalist, witnessed numerous war crimes committed by members of C/1-20 Inf in My Lai (4). SGT Haeberle took a series of photographs using both personal and government owned cameras. He used the color film to record scenes of atrocities and the black and white for other pictures. Both men remained with C/1-20 Inf until approximately 1100 hours, when they departed for B/4-3 Inf. They observed nothing unusual in the B Company area.

After leaving the operations area, they discussed what they had seen and during the discussion, according to SP5 Roberts, SGT Haeberle mentioned that he was curious concerning "what the press would do with photos like that," referring to the pictures taken at My Lai (4).

Later that evening SP5 Roberts wrote a story concerning the incident, making no mention of the atrocities he had seen and lauding the efforts of TF Barker. His account was relayed to the Americal Division Information Office and was the basis for a misleading article in the 11th Brigade news sheet. Indicative of the misleading nature of the article was the statement that a suspect had "told an interpreter that 35 VC had moved into the village [My Lai (4)] two hours earlier," when in fact an inhabitant of the hamlet interrogated by C/1-20 Inf that morning had said that a comparable size force had departed My Lai (4) prior to the combat assault.

Neither SGT Haeberle nor SP5 Roberts took any action to report what they had seen, nor did SGT Haeberle make available to proper authority the photographic evidence of war crimes he had obtained. SGT Haeberle retained the color film he had exposed during the operation as personal property and shortly thereafter sent it to the United States for eventual discharge. Late in 1969, and after his separation from the service, SGT Haeberle sold the photographs to a publisher.

It is apparent that both these individuals had firsthand knowledge of the incident, and that neither took any action to report it. To the contrary, both actively contributed to the suppression of information concerning the incident. It should be noted also that neither of these men was under command of TF Barker and, in contrast to the other enlisted personnel in My Lai (4) that day, they were in a position to report what they had seen without the same fear of retaliation.
E. COL HENDERSON'S REPORTS

After being charged to investigate the allegations made by WO1 Thompson, and after hearing directly from Thompson and other aviation personnel accounts of what they had observed on the ground on 16 March, COL Henderson failed to make any real investigation of the matter. His subsequent oral reports to BG Young and MG Koster with respect to the scope and findings of his so-called investigation were knowingly false and deceptive.

COL Henderson's deception of his commanders as to what he had done to investigate the matter and as to the facts he had learned probably played a larger role in the suppression of the facts of Son My than any other factor. Whatever may be said of the failure of BG Young and MG Koster to subject COL Henderson's reports to adequate review, they had to rely upon the veracity of what Henderson told them. In misrepresenting to his commanders that he had made a real effort to determine the facts and that WO1 Thompson was the only individual he could find who had seen anything unusual on 16 March, COL Henderson effectively closed off the full exposure of the facts of the Son My incident that would have resulted from a real investigation and a factual report.

COL Henderson's written "Report of Investigation," according to MG Koster, was supposed to have put in writing the details of his previous oral report in response to WO1 Thompson's allegations. In fact, however, it made no mention of Thompson's complaints and is addressed solely to the allegations from Vietnamese sources (VC propaganda and the Son Tinh District Chief's letter of 11 April 1968). It dismissed these allegations as baseless propaganda and restated the fiction that 20 noncombatant casualties had been inadvertently killed on 16 March. There had been no further investigation, and the manner in which the statement by CPT Rodriguez was appended to the "Report of Investigation" suggests that the intent was to imply a Vietnamese origin and concurrence from that source in Henderson's findings.

F. COMPANY B, 123D AVIATION BATTALION

There is no evidence to establish that members of Company B, 123d Avn Bn deliberately set about to withhold or suppress information concerning the Son My incident. There were, however, several acts of omission and commission by this unit which contributed to those ends.

1. Failure to Make a Spot-Report of Alleged War Crimes

Upon receipt of the complaints of WO1 Thompson and other members of his unit, MAJ Watke acted only to report the matter to
the commander of the Task Force charged with the offense. Later in the day, after being advised by Barker that he could find nothing to substantiate the charges and despite the fact that he "didn't believe Colonel Barker" Watke did nothing further until approximately 2200 hours. The fact that WO1 Thompson's complaint did not reach the Division Commander until almost 24 hours after it was received by MAJ Watke, and the fact that it never reached the Division Staff, is due in large part to Watke's failure to make the complaint the subject of a spot-report.

2. Failure to Report the Complete Facts Concerning Allegations of War Crimes

The disparity between what WO1 Thompson saw at My Lai and what MAJ Watke stated he reported to BG Young was discussed in detail in Chapter 10. The fact that the complete story did not reach BG Young and subsequently the Division Commander, is largely attributable to MAJ Watke's failure to confirm or document the complaints of WO1 Thompson and others. If MAJ Watke did not gain a full appreciation of Thompson's complaint on the basis of what Thompson told him, a full awareness of the nature of the incident would have been obtained through any efforts to confirm the allegations. MAJ Watke had available to him other pilots and crew members who had been over the area as well as the complete "aero-scout" team which could have been used for aerial reconnaissance. 

3. Instructions to Members of the Unit to Curb Discussion of the Son My Operation

Testimony by former members of the unit reveals that following the Son My operation there was considerable discussion among members of Company B concerning what had occurred in My Lai. MAJ Watke has testified that he was aware of this general unrest and approximately two days after the operation, he spoke to the assembled company and "asked them not to discuss the matter any further (that) nothing good could come of their discussion of it and...it would be taken care of." At this time MAJ Watke was aware that COL Henderson was conducting an investigation and, according to his testimony, he had no reason to suspect the investigation would not be thorough. While MAJ Watke's intent may have been the elimination of rumors and stories while the incident was being investigated, the effect was largely to silence further discussion of the matter within the company.

4. Failure to Take Appropriate Action When Convinced a "Cover-Up" Was Taking Place

MAJ Watke testified that he was convinced a "cover-up" was taking place after he observed that no serious effort was
taking place after he observed that no serious effort was being made to interrogate the members of his unit. This conviction reinforced his earlier impression that LTC Barker was lying when Barker said he could not substantiate WO1 Thompson's allegations.

Having once come to this conclusion, Watke was faced with a difficult decision and elected not to pursue the matter further. MAJ Watke has testified that he was reluctant to go outside the division with the charge, and could not offer an explanation for his failure to document Thompson's allegations with statements from his pilots and crewmen or to take any other steps to make the allegations a matter of record.

5. Failure to Act on Reports of Extensive Civilian Casualties

Several former members of Company B have testified that they submitted written reports concerning the events of 16 March. These reports were submitted through the Company Operations Section and made reference to as many as 150 civilian casualties. There has been no satisfactory explanation concerning the disposition of these reports and no indication that any action was initiated as a result of their submission. It would appear that MAJ Watke considered his obligations to report the incident satisfied once he delivered his report to BG Young.

G. HEADQUARTERS, 123D AVIATION BATTALION

The actions at this level in the chain of command in suppressing information are similar to those taken by B Company of the same unit. Both LTC Holladay and MAJ Watke have testified that they were in agreement concerning two facts: First, that the allegations made by WO1 Thompson and others were true; and second, that there had been a "cover-up." In considering the reaction of these two officers to the situation, it should be noted they possessed the capability to do much that was not done: to obtain sworn statements from the many eyewitnesses within the unit; to conduct a low-level aerial reconnaissance of My Lai (4); and to seek approval for employment of a small infantry unit into the area to confirm or deny suspicions.

H. HEADQUARTERS, AMERICAL DIVISION

On 16 March 1968, the Americal Division was the principal headquarters to which information and reports concerning the Son My operation was directed. Subsequent to that date, other reports and allegations concerning that operation, from both US units and GVN sources, were channeled to that headquarters. Except for routine operational data forwarded on 16 March, none of these reports and allegations were transmitted by the Americal
Division to higher headquarters, even though information had been received by 17 March concerning the events at My Lai (4) that warranted a thorough investigation.

While it is clear that information which should have been reported was withheld by the Americal Division from III MAF and MACV, the matter of motivation and intent is difficult to determine. There is little evidence to warrant a conclusion that the Americal Division headquarters actually had an awareness of the full dimension of what had taken place at Son My. While such a possibility cannot be entirely excluded, there is no direct evidence to that effect, and it appears much more likely that (at least prior to mid-April) the CG, ADC, and the Chief of Staff believed they were dealing with the killing of 20-28 noncombatants by TF Barker. Although the reports they received to that effect were false and they were negligent to have believed them, they probably thought they were withholding information concerning a much less serious incident than the one which had actually occurred.

It is also clear that some information reaching the command element of the division in April indicated that a much more serious event had taken place on 16 March. The command reaction to these subsequent reports was so inadequate to the situation and so inconsistent with what ordinarily would be expected of officers of the ability and experience of MG Koster and BG Young, that it can only be explained by a refusal or an inability to accept or give any credence to evidence or reports which were not consistent with their original, and erroneous, conclusion.

The following is a summary of specific acts of omission or commission taken at the Americal Division headquarters which contributed to the concealment of the true facts of the incident.

1. Failure to Report Information Concerning Noncombatant Casualties

MG Koster has testified that by 1600 hours on 16 March, he was aware that at least 20 noncombatants had been killed by elements of TF Barker. As commander of a major combat unit, he was aware of the concern expressed by COMUSMACV concerning noncombatant casualties and of the requirement that such matters be reported as a serious incident. No such report was made by the Americal Division.

2. Failure to Report Allegations of Suspected War Crimes

While there is some conflict in testimony concerning the extent to which MG Koster, BG Young, and COL Parson were apprised
of the full contents of the Thompson Report, there is sufficient testimony to establish that these three individuals had been advised of the allegation that noncombatants had been indiscriminately killed in My Lai (4). MACV directives in effect at that time clearly required that such allegations be reported. No such report was made by the Americal Division.

3. Failure to Insure a Thorough and Impartial Investigation of Allegations of War Crimes

Upon receipt of the Thompson Report, MG Koster directed an investigation by the commander of the unit accused in the allegation. Such an investigation, subject to a thorough and impartial review, might have been an acceptable response to the allegations. However, it is clear from the testimony of the principals concerned that the investigation was a pretense and the review inadequate.

4. Efforts by the Division Command Group to Limit Information Concerning Noncombatant Casualties and Alleged War Crimes

From the testimony of MG Koster, BG Young, and COL Parsons, it appears that each individual acted to restrict knowledge of matters being investigated by COL Henderson. Specific actions included the failure to include pertinent information in daily staff briefings; the failure properly to employ the investigative resources of the division staff; the failure to advise key staff members concerning the allegations and investigations; and the failure to advise the staff of matters which should have been reported to higher headquarters. Testimony indicates that members of the General and Special Staffs had but little information concerning the incident or of the subsequent investigation or review.

5. Failure of the Division Chaplain to Report Allegations of War Crimes

As discussed in Chapter 10, shortly after 16 March 1968, WO1 Thompson went to the Division Artillery Chaplain, CPT Carl Creswell, with a report of what he had seen at My Lai (4). Chaplain Creswell in turn, without reporting the matter to his commander, went to the Division Chaplain, LTC Francis Lewis, with the story. As previously discussed, LTC Lewis' efforts at investigation were futile and he allowed the matter to pass without substantive effort to bring it to the attention of his superiors.
I. ACTIONS BY PERSONNEL OUTSIDE THE AMERICAL DIVISION

Among the Vietnamese officials who came in contact with information concerning possible war crimes in Son My during the period 16-19 March, there was a natural reluctance to confront their American counterparts with such a serious allegation and to insist on inquiry into the matter. Such information as did reach US advisory channels was not forwarded through advisory channels but referred only to the Americal Division and its 11th Brigade. There is evidence that at least at the Quang Ngai Province and Son Tinh District levels, and possibly at the 2d ARVN Division, the senior US military advisors aided in suppressing information concerning the incident.

J. SUMMARY

It is evident that efforts to suppress and withhold information concerning the Son My incident were made at every level in the Americal Division. These efforts, coupled with the false and misleading reports by COL Henderson were successful in containing the story of Son My within the division. It is evident to this Inquiry, after interviewing most of those who witnessed the events at Son My, that any serious attempt to interrogate such individuals immediately following the incident would have resulted in full disclosure of the event. Many testified in a manner which showed an eagerness to express what had apparently caused them great concern. If there had been real concern in the chain of command, if anyone had taken action to ask questions, they would have had full and complete answers.

One matter which casts further suspicion on the Americal Division is the almost total absence of files and records of documents relating to the Son My incident and its subsequent investigation. With few exceptions the files have been purged of these documents and records of their removal or destruction have not been maintained. The single notable exception to this has been the copy of COL Henderson's 24 April report, and this document was found in the files of the 11th Bde S2 where it would normally have been filed. The files of US advisory teams which had knowledge of the Son My incident were similarly barren.

Another factor which may have contributed to suppression was the manner in which information concerning the Son My incident was handled in Vietnamese circles. Such information was apparently not discussed to any extent in GVN channels as witnessed by the number of US personnel who worked closely with Province, District, and ARVN authorities and yet had no knowledge that the incident had occurred. Even on the Vietnamese civilian side, a measure of silence fell over the community. Without exception, Americans who worked and lived closely with Vietnamese in both official and social circles in Quang Ngai Province, stated that they had not obtained an inkling of the incident.
I. ON THE BASIS OF THE FOREGOING, THE FINDINGS OF THE INQUIRY ARE AS FOLLOWS:

A. Concerning Events Surrounding The Son My Operation of 16-19 March 1968

(1) During the period 16-19 March 1968, US Army troops of TF Barker, 11th Brigade, Americal Division, massacred a large number of noncombatants in two hamlets of Son My Village, Quang Ngai Province, Republic of Vietnam. The precise number of Vietnamese killed cannot be determined but was at least 175 and may exceed 400.

(2) The massacre occurred in conjunction with a combat operation which was intended to neutralize Son My Village as a logistical support base and staging area, and to destroy elements of an enemy battalion thought to be located in the Son My area.

(3) The massacre resulted primarily from the nature of the orders issued by persons in the chain of command within TF Barker.

(4) The task force commander's order and the associated intelligence estimate issued prior to the operation were embellished as they were disseminated through each lower level of command, and ultimately presented to the individual soldier a false and misleading picture of the Son My area as an armed enemy camp, largely devoid of civilian inhabitants.

(5) Prior to the incident, there had developed within certain elements of the 11th Brigade a permissive attitude toward the treatment and safeguarding of noncombatants which contributed to the mistreatment of such persons during the Son My Operation.

(6) The permissive attitude in the treatment of Vietnamese was, on 16-19 March 1968, exemplified by an almost total disregard for the lives and property of the civilian population of Son My Village on the part of commanders and key staff officers of TF Barker.

(7) On 16 March, soldiers at the squad and platoon level, within some elements of TF Barker, murdered noncombatants while under the supervision and control of their immediate superiors.
A part of the crimes visited on the inhabitants of Son My Village included individual and group acts of murder, rape, sodomy, maiming, and assault on noncombatants and the mistreatment and killing of detainees. They further included the killing of livestock, destruction of crops, closing of wells, and the burning of dwellings within several subhamlets.

Some attempts were made to stop the criminal acts in Son My Village on 16 March; but with few exceptions, such efforts were too feeble or too late.

Intensive interrogation has developed no evidence that any member of the units engaged in the Son My operation was under the influence of marijuana or other narcotics.

Concerning The Adequacy Of Reports, Investigations And Reviews

The commanders of TF Barker and the 11th Brigade had substantial knowledge as to the extent of the killing of noncombatants but only a portion of their information was ever reported to the Commanding General of the Americal Division.

Based on his observations, WO1 Thompson made a specific complaint through his command channels that serious war crimes had been committed but through a series of inadequate responses at each level of command, action on his complaint was delayed and the severity of his charges considerably diluted by the time it reached the Division Commander.

Sufficient information concerning the highly irregular nature of the operations of TF Barker on 16 March 1968 reached the Commanding General of the Americal Division to require that thorough investigation be conducted.

An investigation by the Commander of the 11th Brigade, conducted at the direction of the Commanding General of the Americal Division, was little more than a pretense and was subsequently misrepresented as a thorough investigation to the CG, Americal Division in order to conceal from him the true enormity of the atrocities.

Patently inadequate reports of investigation submitted by the commander of the 11th Brigade were accepted at face value and without an effective review by the CG, Americal Division.
(16) Reports of alleged war crimes, noncombatant casualties, and serious incidents concerning the Son My operation of 16 March were received at the headquarters of the Americal Division but were not reported to higher headquarters despite the existence of directives requiring such action.

(17) Reports of alleged war crimes relating to the Son My operation of 16 March reached Vietnamese government officials, but those officials did not take effective action to ascertain the true facts.

(18) Efforts of the ARVN/GVN officials discreetly to inform the US commanders of the magnitude of the war crimes committed on 16 March 1968 met with no affirmative response.

C. Concerning Attempts To Suppress Information

(19) At every command level within the Americal Division, actions were taken, both wittingly and unwittingly, which effectively suppressed information concerning the war crimes committed at Son My Village.

(20) At the company level there was a failure to report the war crimes which had been committed. This, combined with instructions to members of one unit not to discuss the events of 16 March, contributed significantly to the suppression of information.

(21) The task force commander and at least one, and probably more, staff officers of TF Barker may have conspired to suppress information and to mislead higher headquarters concerning the events of 16 - 19 March 1968.

(22) At the 11th Brigade level, the commander and at least one principal staff officer may have conspired to suppress information to deceive the division commander concerning the true facts of the Son My operation of 16-19 March.

(23) A reporter and a photographer from the 11th Brigade observed many war crimes committed by C/1-20 Inf on 16 March. Both failed to report what they had seen; the reporter submitted a misleading account of the operation; and the photographer withheld and suppressed (and wrongfully misappropriated upon his discharge from the service) photographic evidence of such war crimes.

(24) Efforts within the 11th Brigade to suppress information concerning the Son My operation were aided in varying degrees by members of US Advisory teams working with ARVN and GVN officials.
(25) Within the Americal Division headquarters, actions taken to suppress information concerning what was purportedly believed to be the inadvertent killing of 20 to 28 noncombatants effectively served to conceal the true nature and scope of the events which had taken place in Son My Village on 16-19 March 68.

(26) Failure of the Americal Division headquarters to act on reports and information received from GVN/ARVN officials in mid-April served effectively to suppress the true nature and scope of the events which had taken place in Son My Village on 16-19 March 1968.

(27) Despite an exhaustive search of the files of the 11th Brigade, Americal Division, GVN/ARVN advisory team files, and records holding centers, with few exceptions, none of the documents relating to the so-called investigation of the events of 16-19 March were located.

D. With Respect To Individuals

(1) During the period March-June 1968 a number of persons assigned to the Americal Division and to US Advisory elements located in Quang Ngai Province had information as to the killing of noncombatants and other serious offenses committed by members of TF Barker during the Son My operation in March 1968 and did one or more of the following:

a. Failed to make such official report thereof as their duty required them to make;

b. Suppressed information concerning the occurrence of such offenses acting singly or in concert with others;

c. Failed to order a thorough investigation and to insure that such was made, or failed to conduct an adequate investigation, or failed to submit an adequate report of investigation, or failed to make an adequate review of a report of investigation, as applicable;

do committed other derelictions related to the events of the Son My operation, some constituting criminal offenses.

(2) Attached to this chapter at Inclosure 1 is a list of such persons and the omissions and commissions of which they are suspected and upon which the above findings are based.

a. The officers named in Inclosure 1, their position in 1968, and their current grade and status, are listed below:
<table>
<thead>
<tr>
<th>NAME</th>
<th>GRADE</th>
<th>POSITION</th>
<th>CURRENT STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Koster, Samuel W.</td>
<td>MG</td>
<td>CG, Americal Div</td>
<td>Active Duty</td>
</tr>
<tr>
<td>Young, George H.</td>
<td>BG</td>
<td>ADC (OPS), Americal Div</td>
<td>Active Duty</td>
</tr>
<tr>
<td>Henderson, Oran K.</td>
<td>COL</td>
<td>CO, 11th Inf</td>
<td>Active Duty</td>
</tr>
<tr>
<td>Hutter, Dean E.</td>
<td>COL</td>
<td>Senior Advisor</td>
<td>Active Duty</td>
</tr>
<tr>
<td>Luper, Robert B.</td>
<td>COL</td>
<td>CO, 6-11th Arty</td>
<td></td>
</tr>
<tr>
<td>Parson, Nels A.</td>
<td>COL</td>
<td>Chief of Staff</td>
<td>Active Duty</td>
</tr>
<tr>
<td>Barker, Frank A.</td>
<td>LTC</td>
<td>CO, TF Barker Deceased</td>
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<tr>
<td>Gavin, David C.</td>
<td>LTC</td>
<td>Senior District Advisor, Son Tinh District</td>
<td></td>
</tr>
<tr>
<td>Guinn, William D.</td>
<td>LTC</td>
<td>Deputy Senior Advisor, Quang Ngai Province</td>
<td></td>
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<tr>
<td>Holladay, John L.</td>
<td>LTC</td>
<td>CO, 123d Avn</td>
<td>Active Duty</td>
</tr>
<tr>
<td>Lewis, Francis R.</td>
<td>LTC</td>
<td>Div Chaplain</td>
<td>Active Duty</td>
</tr>
<tr>
<td>Calhoun, Charles C.</td>
<td>MAJ</td>
<td>XO/S3, TF Barker</td>
<td>Active Duty</td>
</tr>
<tr>
<td>McKnight, Robert W.</td>
<td>MAJ</td>
<td>S3, 11th Inf</td>
<td>Active Duty</td>
</tr>
<tr>
<td>Watke, Frederic W.</td>
<td>MAJ</td>
<td>CO, Co B, 123d Avn</td>
<td>Active Duty</td>
</tr>
<tr>
<td>Boatman, Kenneth W.</td>
<td>CPT</td>
<td>Forward Observer, Command Group, B/4-3</td>
<td></td>
</tr>
<tr>
<td>NAME</td>
<td>GRADE</td>
<td>POSITION</td>
<td>CURRENT STATUS</td>
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<tr>
<td>Creswell, Carl E.</td>
<td>CPT (Ch)</td>
<td>Div Arty Chaplain American Div</td>
<td>Civilian</td>
</tr>
<tr>
<td>Johnson, Dennis H.</td>
<td>CPT (then 1LT)</td>
<td>Military Intelligence officer in support of TF Barker</td>
<td>Active Duty</td>
</tr>
<tr>
<td>Kotouc, Eugene M.</td>
<td>CPT</td>
<td>S2, TF Barker</td>
<td>Active Duty</td>
</tr>
<tr>
<td>Medina, Ernest L.</td>
<td>CPT</td>
<td>CO, C/1-20 Inf</td>
<td>Active Duty</td>
</tr>
<tr>
<td>Michles, Earl A.</td>
<td>CPT</td>
<td>CO, B/4-3 Inf</td>
<td>Deceased</td>
</tr>
<tr>
<td>Vazquez, Dennis R.</td>
<td>CPT</td>
<td>Artillery Liaison officer in support of TF Barker</td>
<td>Civilian</td>
</tr>
<tr>
<td>Willingham, Thomas K.</td>
<td>CPT (then 1LT)</td>
<td>Plt Ldr, 1st Plt, B/4-3 Inf</td>
<td>Active Duty</td>
</tr>
<tr>
<td>Calley, William L., Jr.</td>
<td>1LT (then 2LT)</td>
<td>Plt Ldr, 1st Plt, C/1-20 Inf</td>
<td>Active Duty</td>
</tr>
<tr>
<td>Alaux, Roger L., Jr.</td>
<td>2LT</td>
<td>Arty Forward Observer attached to C/1-20 Inf</td>
<td>Civilian</td>
</tr>
<tr>
<td>Brooks, Steven K.</td>
<td>2LT</td>
<td>Plt Ldr, 2d Plt, C/1-20</td>
<td>Deceased</td>
</tr>
<tr>
<td>LaCross, Jeffrey U.</td>
<td>2LT</td>
<td>Plt Ldr, 3d Plt, C/1-20</td>
<td>Civilian</td>
</tr>
<tr>
<td>Lewis, Michael L.</td>
<td>2LT</td>
<td>Plt Ldr, 2d Plt, B/4-3</td>
<td>Deceased</td>
</tr>
<tr>
<td>Nundy, John E.</td>
<td>2LT</td>
<td>Executive Officer, B/4-3</td>
<td>Civilian</td>
</tr>
</tbody>
</table>
b. The following enlisted members of the Army operating in support of TF Barker, on 16 March 1968 and now civilians, by reason of their military training and assignment, and having a particular duty to report any knowledge of suspected or apparent war crimes which came to their attention, failed to perform this duty:

<table>
<thead>
<tr>
<th>NAME</th>
<th>GRADE</th>
<th>POSITION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Haeberle, Ron</td>
<td>SGT</td>
<td>Photographer, Info Office, 11th Inf Bde (31st PID)</td>
</tr>
<tr>
<td>Roberts, Jay</td>
<td>SP5</td>
<td>Senior Correspondent, Info Office, 11th Inf Bde (31st PID)</td>
</tr>
</tbody>
</table>

(3) Evidence adduced in this Inquiry also indicates that numerous serious offenses in violation of the Uniform Code of Military Justice and the law of war may have been committed by military personnel who participated in the TF Barker operation in Son My during the period 16 - 19 March 1968. Evidence of these suspected offenses has been furnished to representatives of the Provost Marshal General of the Army for further investigation.

(4) Some of the officers and enlisted men concerned fulfilled their minimum obligation to report their knowledge of crimes committed during the Son My operation to their commanding officers. However, had they exhibited deeper concern for their units, the United States Army and the Nation by taking action beyond that which was technically required, it is probable that the details of the Son My incident would have come to light promptly. Those who failed to do so have contributed to a serious obstruction of justice.

E. Concerning The Adequacy of Certain Policies, Directives, And Training

(1) In 1968, the then existing policies and directives at every level of command expressed a clear intent regarding the proper treatment and safeguarding of noncombatants, the humane handling of prisoners of war, and minimizing the destruction of private property.

(2) Directives prescribing the procedures for the reporting of war crimes were not clear as to the action which should be taken by subordinates when their unit commander participated in or sanctioned a war crime. Directives prescribed only that war crimes would be reported to the commanding officer.
Many soldiers in the 11th Brigade were not adequately trained as to:

a. Their responsibilities regarding obedience to orders received from their superiors which they considered palpably illegal.

b. Their responsibilities concerning the procedures for the reporting of war crimes.

c. The provisions of the Geneva Conventions, the handling and treatment of prisoners of war, and the treatment and safeguarding of noncombatants.

F. Peripheral Issues

Findings regarding peripheral issues are discussed in Annex B.

II. IT IS RECOMMENDED THAT:

A. You take cognizance of the findings set forth above.

B. The names of the members of the Army listed in paragraph D (2) a, above, together with information concerning their omissions and commissions, be referred to their respective general court-martial convening authorities for possible disciplinary or administrative action.

C. Consideration be given to the modification of applicable policies, directives, and training standards in order to correct the apparent deficiencies noted in paragraph IE above.
OMISSIONS AND COMMISSIONS BY INDIVIDUALS

Following is a listing of individuals and the omissions and commissions of which they are suspected pertaining to the planning, conduct, reporting, and investigation of the operation by TF Barker in the Son My area and the related incidents. The terms omissions and commissions are used here to denote, respectively, instances in which an individual may have failed to perform his duty or may have performed his duty improperly, measured in terms of those responsibilities which were reasonably his under the attendant circumstances. It is recognized that some of the omissions and commissions may involve criminal offenses.

1. MG SAMUEL W. KOSTER

   a. He did not insure that the plan for the Son My operation included provisions for the handling, screening, and treatment of the noncombatant inhabitants of the area.

   b. About midmorning of 16 March 68 when informed by COL Henderson that he had observed 6 to 8 dead civilians, he (MG Koster) did not take positive action to insure that such casualties were reported through the proper chain of command nor is there any indication that he took any strong positive action to prevent any further killing or to otherwise minimize noncombatant casualties.

   c. On the afternoon of 16 March 68, he countermanded an order which had been issued by a subordinate commander, COL Henderson, directing that C/1-20 Inf return to My Lai (4) to determine the number of civilian casualties, old men, women, and children; and apparently at no time did he obtain COL Henderson's reasons for directing C Company to return to make the count of civilian casualties nor is there any evidence that he discussed this matter with COL Henderson at any later time.

Inclosure 1
d. By the evening of 16 March 68, he knew that at least 20 civilians had been killed in or around My Lai (4), purportedly as a result of artillery, gunship, and small arms fire. However, he did not:

(1) Provide such information to other command and staff elements of the Division headquarters with the result that such information was not entered into the operations log of the division nor reported to higher headquarters in the Division SITREP and/or INTSUM.

(2) Initiate a Serious Incident Report (SIR) to be submitted to higher headquarters in accordance with regulations.

(3) Direct the initiation of an artillery incident report as required by regulations even though some of the civilian casualties were reported as having resulted from artillery fire.

e. At or about noontime on 17 March 68, BG Young, an ADC, informed him of the details of WO1 Thompson's report which had been relayed through LTC Holladay and MAJ Watke. According to MG Koster, the essence of the report was that there had been indiscriminate firing, that extensive firepower had been directed at civilians thereby causing casualties and that a confrontation had taken place between elements of the 123d Aviation Battalion and elements of TF Barker. Although he directed that an investigation be made in response to this information, he failed to:

(1) Issue proper instructions to insure that a thorough investigation would be conducted.

(2) Insure that the information was forwarded to CG III MAF and possibly COMUSMACV.

(3) Inform appropriate elements of the command and staff of the Thompson Report, or advise them that he had directed an investigation.

(4) Properly utilize the investigative elements of the Division staff to insure that an appropriate investigation would be conducted.

f. On or about 20 March 68, he accepted an oral report of investigation presented by COL Henderson and did not:

(1) Ascertain that an appropriate in depth investigation had been conducted.

(2) Require that a report of investigation be submitted in writing along with necessary documentation.
Notify appropriate elements of the Division command and staff that he had received and accepted the oral report of COL Henderson which indicated that the complaints registered by WO1 Thompson were invalid.

Inform the commander of the 123d Aviation Battalion of the submission of COL Henderson's oral report nor in any other way inform WO1 Thompson that his complaints were not supported.

About mid-April 68, he received information that the Chief, Son Tinh District, had submitted a report to the Chief, Quang Ngai Province, alleging that American forces had killed approximately 500 civilians in Tu Cung and Co Luy hamlets of Son My Village on 16 March 68. He also received information that VC propaganda broadcasts were stressing that American forces had killed a large number of noncombatants (some broadcasts indicated 500) in Son My Village on or about 16 March. Having received this information, he failed to:

- Initiate a staff analysis of these items of information in combination with COL Henderson's report and the operational data resulting from TF Barker operations on 16 March 68.
- Inform higher headquarters of the allegations contained in the District Chief's report to the Province Chief or those made in the VC propaganda.
- Have orders prepared appointing an investigating officer along with appropriate CID support, as required by MACV Directive 20-4 to insure that the allegations were properly investigated by an independent, disinterested party.
- Direct his G2 to initiate an aggressive intelligence collection effort to obtain additional information concerning what might have taken place in Son My on 16 March 68.

He indicates that he considered COL Henderson's so-called report of investigation of 24 April to be an inadequate report. However, he failed to:

- Insure that COL Henderson had conducted an adequate investigation.
- Require information as to who had prepared the statement at Inclosure 1 and the reasons therefor.
(3) Give proper consideration to the reports cited in Inclosure 1, specifically the Son Tinh District Chief's report and the Son My Village Chief's report.

(4) Inform authorities in I Corps, i.e., CG III MAF and LTG Lam, CG ICTZ, concerning the actions he had taken with respect to the allegations and the investigation.

i. As noted in paragraph h above, when he found COL Henderson's report of 24 April to be inadequate, he stated in testimony that he directed that a formal investigation be conducted. However, there is no record of an investigating officer having been appointed nor is there any record in the division of a report of the investigation having been prepared or submitted.

j. Besides the commissions and omissions cited above, there is no testimony to indicate that at any time he took any additional positive or aggressive command action to determine the true facts surrounding the operation of TF Barker on 16 March 68.

k. By retaining unto himself information that at least 20 civilians had been killed and by not reporting such facts, he effectively suppressed information concerning the Son My incident both within and outside the Division.

l. In restricting knowledge of the incident, the investigations, reports, and reviews to a group consisting of BG Young, COL Parson, and himself, he may have initiated a conspiracy to withhold the facts concerning the actions of elements of TF Barker on 16 March 1968.

m. He may have falsely testified on several matters before this Inquiry. For example, he stated that he always kept BG Young and COL Parson completely informed, whereas both of them indicated that they had only a minimum of knowledge concerning his actions. He also indicated that he directed a formal investigation and that he had received a report of said investigation from COL Henderson. This Inquiry did not locate such a formal report of investigation nor is there any indication other than from MG Koster and COL Henderson that such a report was ever prepared or submitted.

2. BG GEORGE H. YOUNG

a. Having received a report from LTC Holladay and MAJ Wake to the effect that WO1 Thompson and other members of the 123d Aviation Battalion had observed a large number of
civilian noncombatants who had been killed unnecessarily during TF Barker's operation of 16 March 68, and that there had been a confrontation between air elements of the 123d Aviation Battalion and the ground elements of TF Barker, he failed:

(1) To convey this same information or the severity of the incident to the Commanding General, according to his own and MG Koster's testimony.

(2) Either to direct or to recommend to the CG that the Commanding Officer of the 123d Aviation Battalion obtain specific details and written statements from the pilots and other crew members who participated in supporting the operation of TF Barker on 16 March.

(3) To recommend to the CG that III MAF, MACV, and USARV be notified immediately and that a SIR should be rendered or an investigation of an artillery incident be initiated.

b. Having received instructions from the CG at about 1200 hours on 17 March to initiate an immediate investigation, he:

(1) Visited TF Barker at LZ Dottie early on the afternoon of 17 March and was briefed by the TF S3 but took no action to employ a ground element, either by land movement or by combat air assault, or an aerial reconnaissance element to ascertain the facts relative to noncombatant casualties in My Lai (4) on the previous day.

(2) Delayed almost 24 hours before issuing such instructions although he had ample opportunity to do so early on the afternoon of 17 March.

c. On the morning of 18 March, he met with COL Henderson and three others in LTC Barker's van at LZ Dottie to discuss the incident. But if his testimony is accurate, he did not issue appropriate instructions to COL Henderson to insure that a proper investigation would be conducted.

d. He had knowledge of the burning of dwellings and shelters in the area of Son My Village and knew this to be contrary to regulations and policy, but took no action to have it officially reported or investigated.

e. Without assuring himself that a proper investigation had been conducted by COL Henderson, he reported its progress and status to the CG. In doing so, he may have contributed
to the impression that a proper investigation had been conducted and thereby influenced the acceptance by the CG of COL Henderson's report of investigation.

f. Having knowledge of the acceptance of COL Henderson's oral report by MG Koster, he did not inform LTC Holladay or MAJ Watke of the results of COL Henderson's investigation or its acceptance by the CG.

g. Having been advised by LTC Guinn, Deputy PSA Quang Ngai Province, concerning the Son My District Chief's report to the Province Chief of the killing of large numbers of civilians by Americans in Son My Village, he failed:

(1) To take positive action to obtain a copy of the report.

(2) To discuss the report in depth with the Province Chief and/or other GVN officials.

(3) To seek out additional information concerning the data included in the report.

h. Having knowledge of (1) the information contained in the District Chief's report, (2) the previously reported activities of TF Barker, (3) the information provided through WO1 Thompson's report, and (4) COL Henderson's oral report of investigation, he failed to correlate the aforesaid information and to advise MG Koster that the information indicated an allegation of major war crimes.

i. Together with the CG, he failed to inform the Division staff of the complaints and allegations which had been made and the actions which had been taken, thereby contributing to the suppression of information concerning the activities of TF Barker on 16 March.

j. Although he virtually disassociated himself from events following COL Henderson's oral report of investigation on about 20 March, the evidence suggests that he was well informed with respect to the issues involved and may have contributed to a conspiracy to suppress information of the incident.

k. There were several instances in his testimony before this Inquiry where he may have testified falsely concerning that which was told to him by LTC Holladay and MAJ Watke and what he reported to the CG. He repeatedly insisted that the civilian casualties were the result of having been caught in a "cross-fire" yet there was no evidence of the ground troops involved having received any opposition.
3. COL ORAN K. HENDERSON

a. When briefed on the concept of the operation of TF Barker into the Son My area, he did not insure that the plan included provisions for handling, screening, and treatment of noncombatants and refugees.

b. After observing the bodies of noncombatnats in and around My Lai (4) during the morning of 16 March, and despite his knowledge that C Company had not encountered resistance, he failed to take effective action to prevent further killing of noncombatants by C Company.

c. He failed to take any action to insure that medical treatment was provided to noncombatants in the Son My area on 16 March.

d. After C Company had reported killing 84 VC in My Lai (4) by 0840 hours on 16 March, he either participated in or condoned the making of fictitious reports to higher headquarters and false entries in official records to the effect that 69 VC had been killed by artillery at a location north of My Lai (4).

e. Having observed on 16 March that many of the dwellings and other structures in My Lai (4) were being burned in violation of division policy and the provisions of pertinent directives, he failed to take any effective action to:

(1) Stop such destruction.

(2) Report the facts to higher headquarters.

f. Having observed the bodies of women and children in and around My Lai (4) on 16 March, and after receiving subsequent reports and information on the same day indicating that many additional noncombatants may have been killed by artillery or gunship, he failed to initiate:

(1) An immediate investigation to determine the extent and the causes of the casualties.

(2) An investigation of an artillery incident, or to recommend that such an investigation be initiated, as required by USARV and Americal Division directives.

(3) A SIR as required by regulations.

g. Having been directed to investigate and report to his commanding officer concerning the Thompson Report and after personally hearing from WO1 Thompson, CWO Culverhouse, and SP Colburn accounts of their observations of the events in Son My Village, he failed to make an appropriate investigation to determine the truth of such reports.
h. Having been directed to investigate and report to his commanding officer concerning the report of WO1 Thompson; having personally interrogated Thompson, Culverhouse, and Colburn; and having failed to make a genuine investigation of their reports, he:

(1) Made a series of false and misleading reports to his commanding officer to the effect that:

(a) He had made a thorough investigation of the Thompson Report.

(b) He had interrogated all of the commanders and many of the soldiers and aviation personnel involved.

(c) WO1 Thompson was the only person he had found who had seen anything unusual on 16 March.

(d) There was no substance to Thompson's allegations.

(2) Concealed the existence of war crimes.

i. About mid-April 1968, having received information that (1) the Son Tinh District Chief had submitted a report to the Quang Ngai Province Chief alleging that US forces had killed approximately 500 noncombatants in Tu Cung and Co Luy hamlets of Son My Village on 16 March 1968, and (2) VC propaganda broadcasts were stressing that US forces had killed a large number of noncombatants in the Son My Village on 16 March 1968, he:

(1) Failed to conduct any investigation of the allegations of the district Chief.

(2) Falsely informed the CG, 2d ARVN Division, and the Province Chief that he had previously investigated similar allegations respecting the 16 March operation and had found them to be entirely without substance.

j. Having been subsequently directed to investigate the allegations of the District Chief and the VC propaganda, and to submit a written report incorporating the evidence he claimed to have collected in response to the Thompson Report, and having made no investigation of such allegations, he submitted to his commanding officer a written Report of Investigation, dated 24 April 1968, which was false and misleading in the following particulars:

(1) While the document purported to be a "Report of Investigation" and implied that he had made an investigation
in response to the allegations of the District Chief, no proper investigation was ever conducted.

(2) It avoided any reference to the Thompson Report.

(3) It falsely stated that his interviews with the TF Barker S3 and the commanders involved revealed that at no time were civilians gathered together and killed by US soldiers.

(4) It falsely stated that 20 noncombatants were inadvertently killed by preparatory fires and in the cross fires of US and VC forces on 16 March 1968.

k. It appears that in conjunction with one or more members of his command, and possibly of the Province Advisory Team, he conspired to withhold and suppress facts concerning the actions of elements of TF Barker on 16 March and information regarding the origin of and basis for a statement dated 14 April 1968 prepared by CPT Rodriguez.

1. He gave false testimony before the Inquiry in a manner calculated to mislead this Inquiry in many particulars. For example, he testified that:

(1) On 16 March 1968 he observed the bodies of only 6-8 women and children in and around My Lai (4).

(2) He directed LTC Luper to investigate whether any artillery rounds landed on My Lai (4) and that LTC Luper thereafter reported to him that an investigation had been made and had disclosed that no artillery had struck the village.

(3) WO1 Thompson was the only individual he spoke with who had observed anything unusual on 16 March.

(4) He had not been directed to submit his written Report of Investigation, dated 24 April 1968, and that the Report was prepared and submitted in order to bring to MG Koster's attention reports and propaganda received from Vietnamese sources.

(5) In May 1968, MG Koster directed a formal investigation be conducted and that he (COL Henderson) directed LTC Barker to conduct such an investigation.

(6) In May 1968, LTC Barker conducted an investigation and prepared a formal report of investigation, including 15-20 written statements of witnesses, which he (COL Henderson) then transmitted to Division.
4. COL DEAN E. HUTTER

a. He may have testified falsely before this Inquiry in a manner calculated to be misleading when he stated he had no knowledge of any reports of civilians being killed by Americans in Son My Village on 16 March 1968, and that he had not attended any meeting wherein such a subject was discussed.

b. Having information available to him of possible war crimes and not ascertaining all of the facts pertaining to the incident and reporting them through his chain of command, DSA ICTZ, he may have contributed to the suppression of information relating to the incident in Son My Village on 16 March 1968.

5. COL (then LTC) ROBERT B. LUPER

a. After observing the bodies of noncombatants in and around My Lai (4) during the morning of 16 March 1968, and despite his knowledge that C Company had not encountered resistance, he failed to take any action.

b. Having observed on 16 March that many of the dwellings and other structures in My Lai (4) were being burned in violation of division policy and the provisions of pertinent directives, he failed to take any action or to insure that the facts were reported to higher headquarters.

c. He failed to report the killings in and around My Lai (4) as a possible war crime in accordance with MACV Directive 20-4.

d. Having received a report that noncombatants had been killed by artillery, he failed to advise the Division Artillery Commander, and he failed either to initiate an investigation of an artillery incident or to recommend that such an investigation be initiated.

6. COL NELS A. PARSON

a. Having received information relating to the Son My incident, he failed to:

(1) Insure that such information was made available to proper elements of the Division staff, especially the Staff Judge Advocate and the Inspector General.

(2) Take steps to insure that a proper investigation was conducted.
(3) Require that a report of suspected war crimes
and/or SIR be submitted to III MAF, MACV, and USARV.

(4) Initiate action through the Division Artillery
Commander for the investigation of an artillery incident.

b. He failed officially to inform LTC Holladay of COL
Henderson's oral report of investigation or its acceptance
by the CG.

c. In response to an informal inquiry from CH Lewis
concerning the incident, COL Parson:

(1) Contributed to the suppression of information
concerning the activities of TF Barker on 16 March 1968 by
telling CH Lewis that an investigation was being conducted
and that he should not discuss it.

(2) Took no action to insure that such a proper in­
vestigation was being conducted.

(3) Took no action to insure that the information
he had given CH Lewis was correct.

d. Having knowledge that (1) some civilians had been
killed in TF Barker's operation on 16 March 1968, (2) GEN
Young had related WO1 Thompson's complaint to the CG, (3)
COL Henderson had conducted a so-called investigation, and
(4) MG Koster had received and accepted the results of the
so-called investigation, COL Parson may have participated
in or contributed to a conspiracy to suppress information
of the Son My incident.

e. Knowing that the 24 April 1968 Report of Investi­
gation was inadequate, he did not insure that a proper in­
vestigation was conducted by issuing orders designating a
disinterested investigating officer in accordance with ap­
propriate regulations.

f. He failed to assure the proper control and retention
of documents (with the exception of those classified SECRET
or higher) such as those relating to the investigation of
the Son My incident.

g. Having knowledge of (1) the "close hold" manner in
which information concerning the incident was being handled,
(2) the fact that the CG had not informed the division staff
of his actions in this matter, and (3) LTC Holladay's
suspicions of a cover-up expressed upon being shown the 24
April report, COL Parson should have been aware that efforts
were being made to suppress information concerning the incident. If he in fact had such a suspicion, his failure to initiate action to conduct an adequate investigation contributed to the suppression of information regarding the incident.

7. LTC FRANK A. BARKER (DECEASED)

a. He planned, ordered, and actively directed the execution of an unlawful operation against inhabited hamlets which included destruction of houses by burning, killing of livestock, and destruction of crops and other foodstuffs, and possibly the closing of wells. Moreover, he knew there were noncombatants living in Son My Village and, while he did not directly order the killings of such persons, he may have created a belief in the minds of some of the unit commanders that they were authorized to kill any persons found there.

b. He planned an artillery preparation on an inhabited village with disregard for the lives of the inhabitants, in violation of the intent of MACV and III MAF regulations.

c. He failed, in preparing the plans for the Son My operation, to provide for the evacuation and safekeeping of the noncombatants residing in the objective areas.

d. He intentionally or negligently provided to the TF Barker company commanders false intelligence that civilians would be out of the hamlets in the Son My Village area by 0700 hours, 16 March 1968, and indicated that only VC and VC sympathizers would be in the village, thereby contributing to the killing of numerous noncombatants on that date.

e. Having become aware early on the morning of 16 March that many noncombatant residents of Son My were being killed by C/1-20 Inf, he probably conspired with MAJ Calhoun and others to:

   (1) Conceal the number of civilian casualties inflicted by C/1-20 Inf in My Lai (4).

   (2) Make a false report that 69 VC were killed by artillery fire during the assault on My Lai (4).

f. He probably conspired with MAJ Calhoun and others to suppress information concerning the war crimes committed during the Son My operation.

g. He failed to report the suspected war crimes committed in My Lai (4) as required by MACV Directive 20-4.
h. He failed to report that dwellings were burned in My Lai (4) and other hamlets by C/1-20 Inf and B/4-3 Inf in violation of division policy and the provisions of pertinent directives.

i. He failed to include in operational reports to higher headquarters the 20-30 noncombatant casualties of which he had knowledge.

j. He prepared and submitted a deliberately false and misleading combat after action report covering the 16 March 1968 operation in Son My Village.

k. As the responsible commander, he failed to investigate indications of war crimes as reported to him by MAJ Watke.

8. LTC (then MAJ) DAVID C. GAVIN

a. Having knowledge that his District Advisory Team had received (1) information from the Son Tinh District Chief regarding allegations that American forces had killed approximately 500 civilians at Tu Cung and Co Luy Hamlets of Son My Village on 16 March 1968; (2) information that the District Chief had reported this to the Quang Ngai Province Chief; and (3) a request from the Province Advisory Team for further information regarding these allegations, he:

(1) Did not take the necessary steps to familiarize himself with the available information or to see that a proper investigation was made through resources available to him.

(2) May not have fully informed himself as to the conduct of his command in his absence but, in all events, failed to assure himself that those matters dealt with in his absence were adequately handled.

(3) Failed to report to higher headquarters the allegations of a serious war crime as required by MACV Directive 20-4.

b. By retaining unto himself information possibly received from the Son Tinh District Chief, he may have effectively suppressed information concerning the Son My incident.

c. By action within his District Advisory Team and in conjunction with the Province Advisory Team and TF Barker, he may have participated in a conspiracy to withhold facts concerning the actions of elements of TF Barker on 16 March 1968.
d. He may have falsely testified before this Inquiry in a manner calculated to be misleading when he asserted that he had no knowledge of the allegations that American forces had killed a substantial number of civilians in Son My Village on 16 March 1968.

9. LTC WILLIAM D. GUINN, JR.

a. Having received (1) information through Census Grievance Channels regarding the killing of a large number of civilians in Tu Cung Hamlet by an American unit; (2) a copy of the Son Tinh District Chief's report to the Quang Ngai Province Chief alleging that US forces had killed approximately 500 noncombatants in Tu Cung and Co Luy Hamlets of Son My Village on 16 March 1968; (3) information from the Quang Ngai Province Chief concerning the incident; and (4) information that VC propaganda broadcasts were stressing that US forces had killed a large number of noncombatants in Son My Village on 16 March 1968, he:

(1) Failed to report to his superiors and higher headquarters the allegations of a serious war crime as required by MACV Directive 20-4.

(2) Failed to have such information included in the regular monthly report of the Quang Ngai Province Advisory Team.

b. By his handling of information which he received regarding the allegations of a massacre by elements of TF Barker on or about 16 March 1968, he effectively suppressed that information.

c. Having provided certain documents to the CO, 11th Brigade, and in conjunction with members of the 11th Brigade, he possibly participated in a conspiracy to:

(1) Withhold the true facts concerning the actions of elements of TF Barker on 16 March 1968.

(2) Suppress information regarding the origin of and basis for the statement dated 14 April 1968 prepared by CPT Rodriguez.

d. He probably gave false testimony before this Inquiry in a manner calculated to be misleading when he:

(1) Asserted he had only a limited knowledge regarding the reports and investigations in April 1968 relating to the
actions of elements of TF Barker in Son My Village on or about 16 March 1968.

(2) Gave contradictory testimony with that previously given by him to a representative of the Office of the Inspector General.

10. LTC JOHN L. HOLLADAY

a. Having received information that possible war crimes had been committed, he failed to interview or obtain statements from any individual witnesses prior to or immediately following his oral report to BG Young.

b. He failed to follow up on his report to BG Young to determine if a report of investigation had been submitted and reviewed and, as a consequence, failed to provide information concerning the results of the investigation to the officers and men of his battalion who had witnessed the events at Son My.

c. Believing that information pertaining to a possible war crime was being suppressed, he failed to bring this to the attention of higher headquarters.

11. CHAPLAIN (LTC) FRANCIS R. LEWIS

a. Having received from CH Creswell an account of WO1 Thompson's serious allegations of improper conduct by elements of TF Barker, he failed to make a timely and proper report of the matter and to assure that there was an adequate investigation conducted. He limited his action at the division headquarters to informal discussions with various staff officers.

b. Having accepted the assertion that an investigation was being conducted, and while disregarding any admonition not to talk about the matter, he still avoided ascertaining the results of such investigation and made no report back to CH Creswell concerning the results of the investigation.

12. MAJ CHARLES C. CALHOUN

a. Participated in the planning of and assisted in the direction of an unlawful operation by TF Barker against inhabited hamlets which included destruction of houses by burning, killing livestock, destruction of crops and foodstuffs
and possibly the closing of wells. Moreover, knowing that there were noncombatants living in the hamlets, and by indicating that only VC and VC sympathizers were living there, he may have contributed to the killing of noncombatants.

b. He participated in planning an artillery preparation on an inhabited village with disregard for the lives of the inhabitants in violation of the intent of MACV and III MAF regulations.

c. As TF Barker S3, he failed in preparing the plans for the Son My operation to provide for the evacuation and safekeeping of the noncombatants residing in the objective areas.

d. Having become aware early on the morning of 16 March 1968 that many noncombatant residents of Son My were being killed by C/1-20 Inf, he may have conspired with LTC Barker and probably others to:

(1) Conceal the number of civilian casualties inflicted by C/1-20 Inf in My Lai (4).

(2) Make a false report that 69 VC were killed by artillery fire during the assault on My Lai (4).

e. He may have conspired with LTC Barker and probably others to suppress information concerning the war crimes committed during the Son My operation.

f. He failed to report that dwellings were burned in My Lai (4) and other hamlets by C/1-20 Inf and B/4-3 Inf in violation of directives.

g. He failed to include in operational reports to higher headquarters the 20-30 noncombatant casualties of which he had knowledge.

h. He failed to report the suspected war crimes committed in My Lai (4) as required by MACV Directive 20-4.

i. He probably gave false testimony before this Inquiry in a manner calculated to be misleading when he stated that:

(1) The company commanders were not told to burn the villages and destroy livestock.

(2) COL Henderson's investigation concerned only the killing of one civilian.
(3) He recalled nothing unusual about the radio transmissions monitored in the TF Barker TOC on the morning of 16 March 1968.

(4) To his knowledge, the only rumor of suspicious activity at My Lai (4) was that a pilot had seen an American shoot one Vietnamese.

(5) There was an actual count of 128 VC KIA during the first day of the Son My operation, verified by someone in TF Barker actually seeing or touching each body.

(6) He never heard of a confrontation between a helicopter crew and members of C/1-20 Inf.

13. MAJ ROBERT W. MC KNIGHT

a. He did not take action to insure that the plan for the Son My operation included provisions for the handling, screening, and treatment of noncombatants and refugees.

b. After observing the bodies of noncombatants in and around My Lai (4) during the morning of 16 March 1968, and despite his knowledge that C Company had not encountered resistance, he failed to take any action.

c. Having observed on 16 March that many of the dwellings and other structures in My Lai (4) were being burned in violation of division policy and the provisions of pertinent directives, he failed to take any effective action to:

(1) Stop the destruction.

(2) Recommend to his commander that the burning should be stopped.

(3) Report the facts to higher headquarters.

d. He failed to take any action to insure that medical treatment was provided to noncombatants in the Son My area on 16 March.

e. After C Company had reported killing 84 VC in My Lai (4) by 0840 hours on 16 March, he either participated in or condoned the making of fictitious reports to higher headquarters and false entries in official records to the effect that 69 VC had been killed by artillery at a location north of My Lai (4).
f. Having received a report that noncombatants had been killed by artillery, he failed to recommend to his commander that an investigation of an artillery incident be initiated as required by USARV and Americal Division directives.

g. He failed to report the killings of noncombatants in and around My Lai (4) as a possible war crime as required by MACV Directive 20-4.

h. In conjunction with COL Henderson and possibly members of the Province Advisory Team, he may have conspired to withhold and suppress facts concerning the actions of elements of TF Barker on 16 March 1968 and information regarding the origin of and basis for a statement dated 14 April 1968 prepared by CPT Rodriguez.

i. He may have given false testimony before the Inquiry in a manner calculated to be misleading when he testified that:

(1) On 16 March 1968 he observed only 5 bodies in and around My Lai (4).

(2) He had no knowledge concerning war crimes and violations of regulations committed by TF Barker on 16 March 1968.

(3) He had never heard any report of 69 VC being killed by artillery.

(4) He did not know who had prepared Inclosure 1 to Exhibit R-1.

14. MAJ FREDERIC W. WATKE

a. He gave misleading testimony before the Inquiry in that he withheld details and provided information that was not completely accurate or factual.

b. Having received reliable information of the possible commission of war crimes on 16 March 1968 and, by his own testimony, being of the belief that the ground commander concerned (LTC Barker) had not taken adequate action, he failed to pursue the matter by either aerial reconnaissance of the area or by obtaining additional evidence from those members of his unit who had observed the possible war crimes.

c. Having been apprised of possible war crimes by members of his command and having reported this through the chain of command, he failed to follow through to keep himself
and the members of his unit informed as to the progress and results of the subsequent investigation.

d. Believing that information pertaining to a possible war crime was being suppressed he failed to bring this matter to the attention of higher headquarters.

15. CPT (then 1LT) KENNETH W. BOATMAN

a. Having witnessed, according to his own testimony, the killings of 8 VC suspects by RVN National Police on 16 March 1968 and recognizing that it was a violation of the law of war, he did not attempt to stop the killings and did not report them to his commanding officer as required by MACV Directive 20-4.

b. He observed the burning of subhamlets Co Lay (1), Co Lay (2), and Co Lay (3) by B/4-3 Inf on 17 March 1968 but failed to report this destruction of private property to his commanding officer.

16. REV. (then CPT, CH) CARL E. CRESWELL

a. Having received from WO1 Thompson serious allegations of improper conduct by elements of TF Barker, he failed to report the matter to his commanding officer (Division Artillery Commander) or to the SJA, or the IG.

b. After he reported the matter to CH Lewis and received no satisfactory response, he took no effective action to insure that a proper investigation would be conducted.

17. CPT (then 1LT) DENNIS H. JOHNSON

a. During the morning of 16 March 1968, he observed numerous killings in and around My Lai (4) and, even though as an intelligence officer he was specifically charged by MACV Directive 20-4 to report such crimes, he failed to report them to anyone in authority.

b. He was asked by his interpreter, SSG Minh (ARVN), to intercede with CPT Medina concerning the killing of women and children and, subsequently, to report the war crimes which they had observed to his commanding officer, CPT Labriola, but failed to do so.