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1 rh 1 Testimony of SSG David Mitchell, RA54232256,
2 Company C, 5/6th Infantry, 1st Armored
3 Division, Fort Hood, Texas, taken at the
4 Office of The Inspector General, Department
5 of the Army, Washington, D. C., at 1335 to
6 1550 hours on 26 May 1969, by COL William V.
7 Wilson, IG.
8

9 Also present: COL David W. Allard, IG.
10

11 By COL WILSON:
12

13 Q. For you information, this investigation concerns
14 the alleged destruction of a village in South Vietnam
15 nicknamed "Pinkville" which is approximately five or six
16 miles north of Quang Ngai City. The incident allegedly
17 occurred in March of '68 during the time Company C, 1/20th
18 Infantry, Task Force Barker, conducted search and destroy
19 operations on the Batangan Peninsula. The investigation
20 is official. It is being made at the direction of the
21 Chief of Staff of the Army. The investigation is privileged
22 in the sense that the report will be made to the Chief of
23 Staff. The substance thereof should not be discussed with
24 others. It will carry a CONFIDENTIAL classification. The
25 purpose of the investigation is to determine the facts
26 relative to the matters in question, or to the incident
27 which occurred. I am after the facts.
28

29 You are a witness. You are not suspected. If
30 any time you make a statement which tends to incriminate
31 you, I will give you the necessary warnings.
32

33 I would like to place you under oath.
34

35 (The witness was sworn.)
36

37 Please state your full name, grade and serial
38 number?
39

40 A. David Mitchell, Staff Sergeant, RA54232256.
41

42 Q. Your organization, station and present duty
43 assignment?
44

45 A. Company C, 5/6th Infantry, 1st Armored Division,
Fort Hood, Texas.

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Q. What was your duty assignment in March of 1968?

A. I was platoon sergeant, if I can recall correctly.

Q. Which platoon?

A. 1st Platoon.

Q. Which company?

A. Charlie Company.

Q. Of what battalion?

A. 1st Battalion, 20th Infantry.

Q. Who was your platoon leader?

A. 2LT Calley.

Q. Do you recall a combat assault on 16 March by Task Force Barker?

A. If it's the one in question, it's the one I am thinking of, I do.

Q. I would like for you to describe in detail the events which occurred when Company C, 1/20th Infantry conducted search and destroy operations in the vicinity of a village nicknamed Pinkville, and specifically a village, Vietnamese, named My Lai (4). Please indicate dates, being as specific as possible.

A. Well, to be real truthful about it, I can't remember any specific dates. I think I can remember the operation. We were told that if the enemy was in this vicinity, in and around this particular village -- I don't recall the village right offhand by name -- that we would make a combat assault on it the next morning.

Prior to going in there, we were told that the area would be prepped and that gun ships that was coming in would give us covering fire; and we came in, dismounted the slicks, came on line and moved out. If I recall correctly, we received some small arm fire and we swept on through the village and on beyond it. We set up in a perimeter.

Q. What was the mission of your platoon?

A. Well, my platoon, if I can recall, my platoon had, was the mission of the whole company. We were on

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1 the right flank. If I can recall correctly, it was
2 either the center or right flank. I am pretty sure
3 it was on the right flank, and we were to secure the
4 right flank for the company as we swept through.
5

6 Q. Which wave of the combat assault were you with
7 moving into the landing zone?

8 A. I was in the initial wave.
9

10 Q. As you approached the landing zone, did you
11 receive any fire?

12 A. I don't particularly know I had fire myself.
13 Some of the other men may have stated that they had
14 received fire. I couldn't really tell because there was
15 so much shooting going on from overhead. I couldn't
16 really say positively whether we received fire or not.
17

18 Q. Were the door guns on your aircraft fired?

19 A. Yes, I think they were fired.
20

21 Q. Were you by the door or on an inside seat in
22 the aircraft?

23 A. I was seated near the center of the aircraft.
24

25 Q. Was the platoon leader with you?

26 A. Negative, we never rode in the same slick.
27

28 Q. Did you observe or hear any artillery fire
29 in your approach to the landing zone?

30 A. Not that I can recall. However, after we
31 set down there were small craters from artillery rounds.
32 The gun ships were firing rockets. It is possible they
33 could have made some of the small craters that I observed.
34

35 Q. Did you later hear any artillery fire or see any?

36 A. Negative.
37

38 Q. Did you see the gun ships firing rockets?

39 A. I didn't see them firing rockets but I could
40 hear them as they went off.
41

42 Q. What did you do when you got off the helicopter?

43 A. Well, when I got off the helicopter the first
44 thing I wanted to do was make sure I had all my personnel
45 together, to make sure they were spread out as many.

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squads as possible and behind some cover.

Q. What was your initial mission?

A. Beg your pardon?

Q. What was your initial mission after you debarked from the helicopter?

A. Well, we were to sweep through, sweep through this particular area.

Q. Did you form a perimeter?

A. Only after we were on the other side of this area, we stopped and set up. It wasn't perimeter in the sense of a circle; it was more sort of like a horseshoe type.

Q. So when you left the helicopter you went directly into the village?

A. Not immediately after leaving the helicopter. Like I said before, the first thing to do was to get away from the ships and see if I had all my people, and if we were together. Then once the whole unit was on the ground we begin to move forward.

Q. Who was SGT Cowan?

A. He was an SFC, a platoon sergeant. At one time he was my platoon sergeant.

Q. Was he platoon sergeant on this operation?

A. ~~I have been trying to recall. He could have been, sir.~~

Q. What was your job at the time SGT Cowan was platoon sergeant?

A. If he was platoon sergeant for my platoon, then I was 1st Squad Leader.

Q. 1st Squad?

A. If he was platoon sergeant at that time, because I was platoon sergeant and then squad leader, and back up and down so many times that I can't really recall.

Q. You mentioned a briefing the day before the combat assault. Who gave this briefing?

A. Our ~~platoon~~ commander, CPT Medina.

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Q. Was this briefing tied in any way to a funeral?
A. There had been a memorial prior to the briefing, if I can recall correctly. We had to have a memorial.

Q. And the briefing followed the memorial?
A. I think so, yes.

Q. What did CPT Medina say during this briefing?
A. Well, he told us that they were in there and we were supposed to go in there and get them. I don't want to contradict myself, but I am pretty sure he said that they was in there and we were supposed to go in there and wipe them out.

Q. VC?
A. Right, sir.

Q. Did he say where they were?
A. Well, he said the area where we were landing would be prepped, and I can't recall him saying specifically if they were right there or further on, but as I can remember, I think he said this one particular village, or this area just in and around it, there was supposed to be a stronghold right in that particular area.

Q. What enemy was supposed to be there?
A. Viet Cong with some North Vietnamese.

Q. Do you remember the unit?
A. No, sir.

Q. Do you know the size of the VC force that was supposed to be there?

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

Q. Was CPT Medina the only one that briefed you on this operation?

A. Yes, sir.

Q. Did your platoon leader have a meeting?

A. He may have. I can't recall, sir. I don't think so.

Q. You mentioned seeing craters. Were these craters in the village?

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A. As I said, sir, the gun ships were firing rockets also and there were damages to some of the hootches as we entered the village, sir, and small gunfire couldn't have made them, this type of damage, and there were indications of some sort of rockets or artillery along the hedgerows as we entered the village.

Q. Would you consider this a hot LZ?

A. Well, sir, to be frank about it, I considered any landing zone hot until I was on the ground and found it to be otherwise. Of course I was expecting a lot of resistance as we came in because of the simple fact that we had been told that a lot of the enemy was in this particular area, so therefore I assumed that it would be hot.

Q. Were you told that the village was to be destroyed?

A. Well, I was told we were to destroy everything in there.

Q. When you say "everything in there", how do you mean that?

A. Well, all the animals.

Q. How about the huts?

A. Right, sir, if I can recall right, a lot of the huts were burned.

Q. Was your platoon assigned the mission to destroy these huts?

A. No, sir, we swept through first. If I can recall, there was another platoon sort of in reserve, or coming up to our rear, that had this mission.

Q. Were you ever told by anyone to destroy the inhabitants of this village?

A. Well, initially when we were briefed, sir, we were told that everything was to be destroyed, that anything was in there and that this was a known enemy strong point and village, and that when we moved through we were supposed to wipe out everything.

Q. Were the words "destroy the inhabitants" used, or "destroy the enemy"?

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A. I can't quite recall which one was particularly used, sir.

Q. At this briefing did you notice any of the men that seemed to be emotional about this memorial?

A. Yes, sir. This young man we had this memorial about, he was well liked by the men and they took it pretty hard. As I can recall, he was the first man we had killed there, if I can recall correctly.

Q. You don't remember his name?

A. The young man I am thinking about was RTO. Webber, I think it was, if I can recall correctly.

Q. The Morning Report of 12 February, which is thirty some odd days before this briefing, indicates that, "William J. Webber, deceased by gunshot wounds, dead on arrival 2d Surgical Hospital on the 12th of February." Would this memorial have come that much later?

A. Well, it all depended, sir, on whether we were still out on a mission. They can't always get chaplains. We have to hold it back until we hit some sort of LZ.

Q. So it is not abnormal for this to occur some thirty days later?

A. No, sir, it wasn't. I could be wrong. We were on LZ Uptight at the time. We could have had a memorial on LZ Uptight for Webber, and maybe it was just a regular service we were having there at the time we had the briefing.

Q. I didn't look to see what day 16 March fell on. Let's take a couple minutes break and check it.

(A brief recess was taken, following which the interrogation was resumed as follows:)

Q. I will remind you you are still under oath.

A. Yes, sir.

Q. The 16th of March was on Friday, which the day of the combat assault was on Saturday. Would it be normal to hold a religious ceremony before a combat assault like this?

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1 A. No, sir. However, I think just the day prior
2 we had just came into the LZ. We had been out, and as I
3 said before, whenever they could get a chaplain out,
4 they would send one out to us when we was in an LZ,
5 something like this, not just prior to going on an opera-
6 tion but just any time they could get us a chaplain out
7 to have services, they did this.

8
9
10 Q. Did you hear of a man being wounded in the
11 foot in the village?

12 A. Yes, sir, I did.

13 Q. Do you know who that was?

14 A. I think his name was Herbert Carter, sir.

15
16 Q. Do you know how he received this wound?

17 A. From the information I received was that he
18 was checking his pistol, or he pulled his pistol out
19 and somehow or another he shot himself in the foot. He
20 was clearing it or something of that nature.

21
22 Q. But he did shoot himself?

23 A. Right, sir.

24
25 Q. Did you see Lieutenant Calley on this operation
26 after you were in the village?

27 A. Yes, sir, after we halted and we set up, -- I
28 think we was waiting for the rest of the company to
29 come up -- he was back to my rear.

30
31 Q. You saw him?

32 A. Yes, sir.

33
34 Q. Is that the only time you saw him?

35 A. That I can recall, sir.

36
37 Q. Did you capture any VC suspects in the village?

38 A. Yes, sir. As we came through we found some of
39 the hootches.

40
41 Q. How many?

42 A. Fifteen or twenty, sir, if I can recall.

43
44 Q. Were they all male or were they mixed sex?

45 A. They were mixed sex, sir.

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Q. Children?

A. There were a few.

Q. What did you do with these people?

A. Well, we pushed them forward, sir. We took them along with us, and I had them brought to Lieutenant Calley, and then we left them there and we went on up 50 or 60 meters to set up.

Q. Went where?

A. We kept moving ahead 50 or 60 meters or so.

Q. How long did you have these people with you?

A. I guess ten or fifteen minutes, sir.

Q. And how did you send them back to Lieutenant Calley?

A. Well, we didn't, sir.

Q. You didn't?

A. Because initially as we cleared the other side of the village, he was there.

Q. Oh, you gave them to him?

A. Right, sir.

Q. So you contacted him in the village?

A. Yes, sir, I did.

Q. Did you notice any dead Vietnamese in the village?

A. Yes, sir.

Q. How many?

A. I can't recall from memory, sir. I think there was five or ten.

Q. How did they appear to have been killed?

A. Well, some appeared to have been killed by small arms, others by rocket, artillery.

Q. Were these people scattered in different areas or were they all in one group?

A. They were scattered, sir.

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10 rh 1 Q. How could you determine the type of munition
2 which killed them?

3 A. Well, sir, if I looked at a person, and there
4 was no indication of any artillery in or about, well,
5 you can just naturally tell when a piece of shrapnel,
6 something of this nature, caused injury to a person by
7 the wound.
8

9 Q. By the wound?

10 A. Right, sir.

11 Q. You could see these wounds?

12 A. Right, sir.
13

14 Q. What proportion of these people do you think
15 were killed by artillery or rocket?
16

17 A. I couldn't say, sir, because I didn't stop to
18 check that closely because we had to keep moving.
19

20 Q. Before you moved into the village, did you
21 receive any fire from the village or from the other
22 side of the village?

23 A. I was on the right flank and I can't recall
24 in my particular area where I was receiving any fire.
25

26 Q. Did your platoon fire into the village?

27 A. Yes, sir. There was a lot of firing going on.
28

29 Q. Did your platoon fire into the village before
30 it swept or during the time that it swept?

31 A. Well, when we came off the gun ship, sir, some
32 of the men started firing. They said that they received
33 fire.
34

35 Q. But you didn't see any fire coming from the
36 village?

37 A. No, sir.
38

39 Q. Do you know what happened to these civilians
40 after you turned them over to your platoon leader?

41 A. Yes, sir.
42

43 Q. What happened to them?

44 A. They were shot, sir.
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- Q. Did you see this?
A. No, sir.
- Q. How do you know they were shot?
A. Well, I could hear some shooting to my rear, sir.
- Q. Did you ever go back and see these people?
A. Yes, sir, I did.
- Q. Then how were they when you found them?
A. They were sprawled out in a ditch, sir.
- Q. And what time was this?
A. What time of day, do you mean?
- Q. Yes.
A. It was morning when we first hit the LZ. I would say it was roughly around 0900, 0930.
- Q. When you saw these people?
A. Yes, sir.
- Q. Was this ditch in the village?
A. No, sir, it was on the outskirts of the village.
- Q. Which side?
A. The east side, I think.
- Q. And were these people in a collection in one spot?
A. No, sir. Well, it was a real long ditch, sir, and they were in the ditch.
- Q. How deep was the ditch?
A. I would say five or six feet.
- Q. And how many were in the ditch?
A. It could have been about 20, sir, maybe more or less.
- Q. How were these people killed?
A. They were shot, sir.
- Q. Was it automatic weapons fire or was it spaced fire.

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1 A. Small arms, sir. That can include small arms
2 and just regular single shot.

3
4 Q. How long was this ditch?

5 A. About 30 feet long, sir.

6
7 Q. And these people were scattered along the
8 ditch?

9 A. Right, sir.

10
11 Q. Who shot these people?

12 A. I couldn't say exactly who shot them, sir,
13 because we had people coming up to our rear. As I can
14 recall, the Lieutenant and RTO was back there, and I
15 just can't say who shot them.

16
17 Q. Do you know why they were shot?

18 A. No, sir.

19
20 Q. Were they mixed sex?

21 A. Yes, sir.

22
23 Q. Did you hear this fire coming specifically from
24 this area?

25 A. I can't say for sure, not specifically from the
26 area where I found the, where I saw the people laying at.
27 I could say it was to my rear from where I had my squad
28 set up at.

29
30 Q. Did you pass by this area before you came back?

31 A. Before I went back, after we had set up, sir?

32
33 Q. Yes.

34 A. Yes, sir.

35
36 Q. You passed by initially when you went through
37 the village?

38 A. Yes, sir.

39
40 Q. You passed by that ditch?

41 A. Yes, sir.

42
43 Q. There was nobody in it?

44 A. I passed by a portion of it. There was no one
45 where we crossed at, sir.

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Q. Why did you go back to that location?

A. Well, I was told to go back, sir, and see if there was anyone alive to my rear, and one of the men had reported seeing someone moving to our rear in the village and he said it wasn't any of our men.

Q. Well, who told you to go back?

A. My platoon leader, sir.

Q. Calley?

A. Right, sir.

Q. Did he have radio communication or did he tell you face to face?

A. He told me face to face, sir.

Q. Did you go back by yourself?

A. No, sir. When I went back I took another man with me.

Q. Who was that?

A. I can't recall, sir.

Q. Was he from your squad?

A. Right, sir.

Q. Was there anyone around this ditch when you arrived there?

A. No, sir.

Q. Did these people appear to have been rounded up and shot, or were they just fired on along this ditch?

A. Some appeared to have been rounded up, sir.

Q. Were they in groups?

A. Well, there was only one particular instance when I saw people laying in a ditch.

Q. But these people were scattered over a space of 30 feet?

A. No, sir.

Q. They were rounded up in a group and in the ditch. Is that correct?

A. They all wasn't in one group, sir, but all of.

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them I saw dead were back there in a ditch, but they wasn't in one particular group.

Q. Did you know PFC Torres?

A. Torres? Yes, sir.

Q. Was he in your platoon?

A. No, sir, I think he was in the 2d Platoon.

Q. Did you see him on this operation?

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

Q. Did you see any medical attention being given to civilians?

A. No, sir, none that I can recall.

Q. Who was CPT Medina's RTO? Do you know?

A. I can't recall his name, sir.

Q. Who was with Lieutenant Calley the last time you saw him?

A. I think his RTO was there with him.

Q. Do you know who that was?

A. No, sir.

Q. Did you see any ARVN or Local Force South Vietnamese on this operation? I include in that National Police:

A. I think we had two or three attached to us, sir, if I remember.

Q. What were they?

A. National Police.

Q. Do you remember when you first saw them?

A. I am not sure I am right, sir, but we linked up with the 3/1st -- this might be a different operation; I am not sure -- for one night there, and I recall we had three or four National Police there or with us at that time.

Q. Did you see any interrogation going on?

A. No, sir.

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Q. Did you hear of any wounded civilians being killed after they were wounded?

A. No, sir.

Q. These civilians that you turned over to Lieutenant Calley, were any of them wounded?

A. Right, sir, I think two or three of them were wounded.

Q. Walking wounded?

A. Yes, sir.

Q. Did you see or hear that Lieutenant Calley ordered groups of civilians machine-gunned?

A. No, sir.

Q. But you heard that Lieutenant Calley killed these civilians that were in the ditch?

A. Yes, sir.

Q. Himself?

A. Well, I can't say he did it by himself, sir. It is like I say, when we set up we heard firing, and I think it had to be more than one weapon being fired.

Q. Did you hear this during the operation or after the operation?

A. Well, this was during the operation.

Q. You heard the firing but did you hear that Lieutenant Calley had killed these people after the operation or during the operation?

A. Well, now, sir, you mean after we left this area?

Q. Yes.

A. Then you consider during the operation while we were still in the vicinity?

Q. I mean while you were still in the vicinity of the village?

A. Yes, sir.

Q. You don't know who you heard it from?

A. No, sir.

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16 rh 1 (A brief recess was taken, following which
2 the interrogation was resumed as follows:)

3
4 Q. I will remind you you are still under oath.
5 A. Yes, sir.
6

7 Q. Was there any discussion regarding the incident
8 of killing these civilians back in the base camp area,
9 or back at Dottie after the operation was over?

10 A. Yes, sir, there was some discussion.
11

12 Q. Was this discussion actual witnesses or was
13 it hearsay information?

14 A. I can't recall, sir.
15

16 Q. Were you ever questioned concerning this
17 operation back at Dottie? After the operation was over,
18 did anybody ask you any questions about the operation,
19 any field grade officer interview you?

20 A. No, sir.
21

22 Q. Do you remember COL Henderson?

23 A. Yes, sir.
24

25 Q. That you met this morning?

26 A. Yes, sir.
27

28 Q. Did you see him at Dottie after the operation?

29 A. I don't recall seeing him, sir.
30

31 Q. You don't recall any questions from him at any
32 time?

33 A. No, sir.
34

35 Q. Had you been on operations in this area before?

36 A. Yes, sir.
37

38 Q. How long before?

39 A. Well, sir, Task Force Barker, that was the area
40 in and around -- LZ Uptight was in our AO and we rotated
41 between Uptight and Dottie. In this particular area
42 where we made the assault, I think it had been some time
43 prior that we had been in this one particular area, that
44 I can recall.
45

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Q. Would you think that there would be any difference in the operations from the standpoint of danger in the Pinkville complex, any difference in the Pinkville complex or in any other area of operations in Task Force Barker?

A. Do I think there would be any difference?

Q. In the danger, the enemy resistance which you may receive?

A. I am kind of confused as to the question, sir.

Q. Well, let's look at the map here a minute. On the top left, the black area outlines the area of operations for Task Force Barker, the AO.

A. Right, sir.

Q. The red area beneath that outlines the Pinkville operations area, which is not part of Task Force Barker, which you don't normally operate in.

A. Sir, in here, sir (indicating on map).

Q. That is the Pinkville area which belongs to the 2d ARVN Division, or at that time did, and you only operated on their permission.

A. Right, sir.

Q. Now, did you feel that there would be any difference as far as any resistance was concerned in operating in this area than in operating in this area (indicating on-map)?

A. Yes, sir.

Q. Would you feel that before you went in?

A. Yes, sir, we had been up in those areas before, sir.

Q. How about the area in red there, the Pinkville area? Had you been down there?

A. Yes, sir, we had met resistance in that area before. I had my platoon pinned down in that area, sir.

Q. Could you show me where you had your platoon pinned down?

(The witness examined the map.)

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18 rh

1 A. We were right up in here, sir (indicating on
2 map).

3
4 Q. I see, you were north of the Song Diem Diem
5 River?

6 A. Right, sir, we pinned down right in here, and
7 a platoon from our company had been pinned down in the
8 same general vicinity. This was our operation up in
9 here. As a matter of fact, that was the area where we
10 had our RTO killed, right in here (indicating).

11
12 Q. OK, the area where the Sergeant is pointing
13 to is coordinates 729808 -- right -- 729808?

14 A. Right, sir.

15
16 Q. About right here?

17 A. Right, sir. But we had been pinned down in
18 here right at the bend of this river here.

19
20 Q. On the north side of the river?

21 A. Right, sir.

22
23 Q. The point where the platoon was pinned down
24 is 729800.

25 A. We met real strong resistance right in there, sir.

26
27 Q. Did you have the feeling that the company would
28 consider this operation any different than any other
29 operation that they had conducted?

30 A. Yes, sir.

31
32 Q. Why?

33 A. Well, sir, like I say, we worked up in the area
34 before and we had met stronger resistance there than I
35 can recall in any other part of our AO, and, well, we knew
36 they were in there, sir.

37
38 Q. Did you lose any men from your platoon in the
39 first village?

40 A. No, sir, other than Carter, sir.

41
42 Q. Was he in your platoon?

43 A. Yes, sir.

44
45 Q. What are the Rules of Engagement?

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19 rh 1 A. If we were fired on, if the fire wasn't
2 coming from a village, if it wasn't coming from a
3 village, we were to fire back and take prisoners, if we
4 could, whenever engaged.
5

6 Q. What were you told to do if they ran?

7 A. Well, as we were always told, we would try
8 to halt them by telling them to stop in Vietnamese
9 language, and to come back, and if this failed, to
10 fire warning shots over their head, and if this failed,
11 to try to wound them to stop them.
12

13 Q. How do you say "stop" in Vietnamese?

14 A. Dung lai.
15

16 Q. If the fire was coming from a village, what
17 actions were you supposed to take?

18 A. Well, sir, I would call -- well, if my platoon
19 leader knew about it, we would take orders from him
20 concerning the matter, if he's there.
21

22 Q. In other words, you had to go to the next
23 in chain to find out if you could fire back?

24 A. Right, sir.
25

26 Q. Had you ever heard anybody in your company
27 complain that the restraints which were included in the
28 Rules of Engagement were too severe from the standpoint
29 of US Forces, that they didn't have enough freedom of
30 action?
31

32 A. Yes, sir, some of the men considered that we
33 were held in check pretty tight.
34

35 Q. Was My Lai (4) destroyed?

36 A. No, sir, it wasn't completely destroyed.
37

38 Q. Did you ever see an aerial photograph of My Lai (4)
39 before the operation?

40 A. No, sir.
41

42 Q. Did you see any leaflets on this operation?

43 A. I can't recall, sir.
44

45 Q. As you moved through My Lai (4), you moved
east. When you got on the other side of the village and

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20 rh

1 continued your sweep to the east, did you notice any
2 helicopters landing?

3 A. Yes, sir, there was one that landed.

4
5 Q. What kind of helicopter was it?

6 A. Small bubble type.

7
8 Q. Did you see where it landed?

9 A. Yes, sir. It landed to my left front.

10
11 Q. Do you know why it landed?

12 A. No, sir.

13
14 Q. Was this the only one that you saw land?

15 A. Yes, sir.

16
17 Q. Could you observe that helicopter from your
18 position?

19 A. Yes, sir.

20
21 Q. After it touched the ground?

22 A. Yes, sir.

23
24 Q. Did you see any civilians get aboard that
25 helicopter?

26 A. I am not sure, sir. I don't know, it seemed
27 like I can recall them taking one civilian on. I couldn't
28 say positive that they took a civilian out.

29
30 Q. Do you recall moving through a small group of
31 huts about that time, another village?

32 A. Well, we had stopped at two or three huts in
33 that vicinity.

34
35 Q. Had you ever received any orders to stop killing
36 civilians? I mean by you as a squad leader passing it
37 down from your platoon leader?

38 A. To stop killing civilians?

39
40 Q. Yes.

41 A. No, sir, I didn't see no order.

42
43 Q. Had you heard that a helicopter pilot complained
44 about indiscriminate killing of South Vietnamese?

45 A. Yes, sir.

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21 rh

1 Q. Did you hear this in the vicinity of My Lai (4)
2 or after you got back to Dottie?

3 A. I think it was when we were still in the
4 vicinity of My Lai (4).
5

6 Q. Do you remember a man named Medloe?

7 A. Medloe? No, sir.
8

9 Q. Do you remember a town named My Khe (1)?

10 A. No, sir.
11

12 Q. Do you remember SGT Bacon?

13 A. Yes, sir.
14

15 Q. Was he in your platoon?

16 A. Yes, sir.
17

18 Q. What was his job?

19 A. He was squad leader, sir.
20

21 Q. Which squad?

22 A. 2d Squad, sir. I think it was the 2d Squad,
23 sir.
24

25 Q. I believe you stated you didn't see the National
26 Police interrogating anyone during the operation?

27 A. Yes, sir. This might have been due to the
28 fact, sir, that they could have been with the company
29 commander, and I didn't see him, which is nothing abnormal.
30 Now if there were some, they would be with him.
31

32 Q. I show you a photograph entitled, "Task Force
33 Barker Medic Treats Wounded And Chopper Is Called". The
34 personnel in this photograph are numbered 1 through 6.
35 Beginning with Number 1, can you identify any of those
36 people?
37

38 (The witness examined the photograph.)
39

40 A. Well, this is the CO here, sir, No. 2.
41

42 Q. CPT Medina?

43 A. Yes, sir. Number 3 is -- I can't recall his
44 name, sir.
45

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Q. Take your time.

A. I can't recall his name. If I heard it, I could remember it. I know his face. I just can't recall his name. He was one of the RTOs with the CO.

Q. Here is the roster of the unit.

(The witness examined the roster.)

A. I think Number 4 is a man by the name of Grzesik, sir.

Q. What is his grade?

A. I think he was E-4 at the time. Number 3 is Murray, sir.

Q. Number 4 is Grzesik?

A. Right, sir.

Q. How do you spell it?

A. G-R-Z-E-S-I-K.

Q. Was he an RTO?

A. He had been in my platoon. Right, was RTO, too.

Q. And what was the other one you identified as Number 3?

A. • Murray, sir.

Q. That's the company commander's RTO?

A. Right, sir. I think Number 6 is Manzanedo, sir.

Q. Who?

A. Manzanedo.

Q. How do you spell that?

A. M-A-N-Z-A-N-E-D-O.

Q. D-O?

A. Yes, sir.

Q. M-A-N-Z-E-Delta-O?

A. Right, sir.

Q. What was he, a medic?

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A. Right, sir. I am not positive but from what I can see of his face it looks to be him, sir. Number 5 and Number 1 I can't even -- Number 1 could be Carter. I don't know. I guess Number 1 could possibly be Carter.

Q. How about Number 4? You get a pretty good indication of his face. Can you recognize him?

A. Yes, sir, that is the man I said was Grzesik.

Q. Oh, that's right.

A. Number 4.

Q. Do you recognize that terrain at all there?

A. No, sir.

Q. Do you recognize this man in the top photograph?

A. Vaguely I can, sir.

Q. Do you know who he is?

A. No, sir, I can't.

Q. Would you say he was in C Company?

A. I don't know. His face looks familiar, sir.

Q. Do you recognize that terrain?

A. Well, there is one thing, sir; you certainly could take a picture like that most anywhere, and I couldn't say.

Q. You couldn't identify it with any specific location?

A. No, sir.

Q. I am going to show you a sketch made by SGT Bacon, which is for the period 16 through 17 May, and I want to explain this, orient you on this, and ask you some questions. (Referring to sketch:) Here is My Lai (4), Landing Zone 1. This is a trench or an embankment. These squares here represent huts, not exactly as they were.

A. Right, sir.

Q. This is vegetation, trees, and so forth. According to his recollection, the 2d Platoon moved from the LZ on the left. The 1st Platoon is on the right. The platoon was held up for about an half hour on this trench

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or embankment, proceeded to sweep through the village.

A. My recollection, sir, so far as the position of the platoon, that is correct, if you say this is the ditch here. I considered the ditch -- these hootches are on this side of the village here (indicating).

Q. It could have been another ditch?

A. It could have been, possibly.

Q. I don't say this is a ditch. This is an embankment. It could have an abutment of sorts. It could have been a perimeter defense of the village. As I say, it could either be an embankment, abutment or trench.

A. Right, sir.

Q. Now, allegedly the 2d Platoon picked up about 30 civilians, sent them back to the platoon leader.

A. Right, sir.

Q. The platoon leader supposedly was located on the right side of the village, or the southern side of the village. Now, where was the trench that you saw the bodies in? Let me mark it. You show me where it was.

A. I take this to be east.

Q. This is east. This is west. This is north. Here is your landing zone (indicating).

A. Right, sir.

Q. And here is My Lai (4).

A. I think the ditch would be on the --

Q. (Interposing) On the east side of town?

A. Right, sir.

Q. And it was about 30 feet long?

A. It extended the length of the village, as I recall.

Q. Now there were 20 people in this ditch, approximately?

A. Right, sir.

Q. This was before you saw the helicopter sit

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25 rh 1 down, or after you saw the helicopter sit down?

2 A. This was after, sir -- oh, before the helicopter
3 set down.
4

5 Q. And you went back to the village after you
6 moved through, and at that time is when you saw the
7 ditch?

8 A. The 1st Platoon was on the --
9

10 Q. (Interposing) Right.

11 A. -- right. My 1st Squad was on the right of
12 the platoon over here (indicating on map). We went
13 through and we holed up somewhere around in here, and
14 at this time I noticed the helicopter over here. Now,
15 he left and later on I think he came back, and he sat
16 down over here, and then he left again.

17 Q. Came down twice?

18 A. Helicopter, right, sir. Now, if I can recall
19 correctly, it was here (indicating), and then he left
20 and came back over here and set down. I went back to
21 the village over here because they reported seeing some
22 Vietnamese moving behind some hootches, so I went back
23 to check it out.
24

25 Q. With a man from your squad?

26 A. Yes, sir.
27
28

29 Q. Who were the men in your squad?

30 A. This is going to be rather hard for me to do,
31 sir, although it may seem funny, but one time I went from
32 the 1st Platoon to the 2d Platoon to the 3d, back to the
33 1st; squad leader, platoon sergeant, and I was platoon
34 leader in the 1st Platoon, and I came in contact with a
35 lot of men, and about half way through the tour I became
36 platoon sergeant permanently, and part-time platoon leader.
37

38 Q. Do you remember any of the men on that roster
39 as being in your squad at the time of this operation?
40

41 (The witness examined the roster.)
42

43 They would probably be in the lower grades.
44 That roster is by grade.

45 A. Right, sir.

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(The witness continued to examine the roster.)

A. I believe "Stanley, Harry".

Q. Harry --

A. Right.

Q. -- Stanley?

A. Right.

Q. What is his grade on there?

A. It doesn't have it. I believe he was a private at that time. I think "Simone, Daniel". His rank is PFC. "Haywood, Elmer" -- I think he's a PFC. "Owens, Allen C." I think he's PFC. That's about all I can recall, sir, if they are true. I know I had these men in my platoon. I can't positively say I had them in my squad while I was squad leader.

Q. Was Medloe in your platoon?

A. Medloe?

Q. M-E-D-L-O-E?

A. Yes, sir.

Q. Was he in your squad?

A. I think he was, sir. I remember him now. I think he was.

Q. Do you recall if there were any Engineers with you on this operation, with your company?

A. I think there was, sir.

Q. Do you know where they were from?

A. No, sir.

Q. This time that you were pinned down north of the Diem Diem River, how long before this operation was that?

A. Well, the time we was pinned down, sir, that was the exact date that Webber was killed, sir.

Q. That would have been about a month before, then. That's right, because he was killed there, wasn't he?

A. Yes, sir.

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27 rh

1 Q. Do you have any further information concerning
2 the matters we have discussed?

3 A. No, sir, with the exception of this man Medloe.
4

5 Q. Who?

6 A. Medloe.
7

8 Q. Medloe -- M-E-D-L-O-E?

9 A. Right, sir. I think, recalling when he was
10 injured, he lost his foot or part of his foot, or some-
11 thing. He was carrying the mine detector at this time,
12 if I can recall, and we moved into this area, and the
13 lieutenant intended to use him for to check out the
14 path because he said that the area had been mined, or
15 something like that, sometime before, and they wasn't
16 sure if it was cleared or not. Anyway, he went up there
17 and the lieutenant sent him back down, or they were
18 coming back down, and they didn't use the same path, and
19 this is when he hit a boobytrap or mine. He was injured.
20 And I can recall him making a statement something like,
21 "I am being punished for what I have done," or something
22 of that nature.
23

24 Q. Who did he make this statement to?

25 A. He didn't make it to me, but some of the men
26 later on told me that he had said something to this effect.
27

28 Q. What did he mean by that?

29 A. I don't know, really, sir.
30

31 Q. Well, did he make this statement to the platoon
32 leader?

33 A. I am not sure. From what I gather is as they
34 were putting him on the chopper that he made the state-
35 ment, and the platoon leader was present when he was put
36 on the chopper.
37

38 Q. What was your evaluation of your platoon leader
39 as a combat officer?

40 A. Well, he was an easy man to work with. However,
41 I didn't consider him the best that I have worked with
42 since being in the country there.
43

44 Q. What about the other platoon leaders? Did you
45 ever work for any of them?

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A. Well, I was under more than one platoon leader while there, sir. I think Lieutenant Calley went over with us. When I went over there originally I was in the 1st Platoon and I was 1st Platoon Sergeant, and Lieutenant Hoak was my platoon leader, and I thought he was a fine man. H-O-A-K, I think he spelled it.

Q. What about your company commander as a combat officer?

A. Well, I thought he was a fine man as a combat officer, as a combat officer, sir.

Q. Do you feel that any of these officers that we have referred to would commit atrocities?

A. I don't think so, not unless they were ordered to do so, or somehow or other they take it to mean something other than it really meant.

Q. Do you feel any people in the company took the company commander's briefing as the green light to commit atrocities?

A. It was my impression that this was the impression -- well, after the operation this was the impression that the men received, that it probably wasn't meant to be what it turned out to be.

Q. But we have a large number of men that didn't shoot people but rounded them up. Of course it depends on each one, but the question in my mind is were they doing this on their own or were they doing this in violation of what instructions they had received?

A. It is my opinion, sir, that if anything was done, they did it based upon the instructions that were received. However, we had people in the company that wouldn't kill even if they had to.

Q. Were any of these men in your squad?

A. I feel I can say yes, sir.

Q. Who were they?

A. Although I can't recall their names.

Q. Do you have any further statements to make regarding the subject under investigation?

A. No, sir.

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Q. Sergeant, this is an official investigation. It is privileged in the sense that my report will be made to the directing authority, who is the Chief of Staff, for such use as he deems appropriate. You are ordered not to discuss this investigation --

A. (Interposing) Yes, sir.

Q. -- or the questions and answers covered during this interview except as you otherwise may have a right to do so in accordance with law. And that takes care of it.

A. Right, sir.

(The witness was excused.)

(The foregoing testimony of SSG David Mitchell was taken stenographically and transcribed by Robert I. Henderson, Shorthand Reporter, Office of The Inspector General, Headquarters, Department of the Army.)

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