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1 Testimony of 1LT William L. Calley, Jr.,
2 05347602, on TDY Office of The Inspector
3 General, Department of the Army, Washington,
4 D. C., en route PCS, CONUS, taken at the
5 Office of The Inspector General, Department
6 of the Army, Washington, D. C. at 1330 to
7 1440 hours on 9 June 1969, by COL Norman T.
8 Stanfield, IG.
9

10 Q. This investigation concerns the alleged destruc-
11 tion of a village in South Vietnam nicknamed "Pinkville"
12 located approximately five to six miles northeast of
13 Quang Ngai City at approximate coordinates 728795 on a
14 map we have got here. The incident allegedly occurred
15 in March 1968 during the time that C Company 1/20th
16 Infantry, Task Force Barker, conducted search and destroy
17 operations in and around the Batangan Peninsula in the
18 Pinkville area. The investigation is official and is
19 being made at the direction of the Chief of Staff of the
20 Army. The investigation is privileged in the sense that
21 the report will be made to the Chief of Staff of the Army.
22 The substance of it should not be discussed with others.
23 It will carry a CONFIDENTIAL classification. The purpose
24 of the investigation is to determine the facts relative to
25 the matters in question.
26

27 I would like to place you under oath before we
28 start.

29 A. Can you explain a little bit more to me? I am
30 kind of leery on what actually is going on.
31

32 Q. Well, before we get into the substantive questions.
33

34 (The witness was sworn.)
35

36 Would you please state your full name, grade,
37 service number, organization, station and present duty
38 assignment?
39

40 A. William L. Calley, Jr., First Lieutenant;
41 service number, 05347602; present duty, TDY Inspector
42 General's Office.
43

44 Q. You just came from what assignment?
45

A. As Platoon Leader with Company G, Ranger, 75th
Infantry, Vietnam.

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(CALLEY)

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2 rh 1 Q. Lieutenant Calley, you are advised that it
2 has been alleged and you are suspected of having
3 committed a war crime, to wit: wrongful destruction
4 of a village and murder of Vietnamese civilians in
5 violation of Articles 109 and 118, Uniform Code of
6 Military Justice. You have a right to counsel and
7 have counsel with you during the interrogation. The
8 counsel can be a civilian counsel provided by you at
9 your expense, or military counsel of your own selection,
10 if reasonably available, at no expense to you, or mili-
11 tary counsel appointed for you at no expense to you.
12 By "counsel" I mean a lawyer. You are further advised
13 that in the event you desire counsel with you during
14 this interrogation, that the counsel is here solely as
15 your advisor. He may not answer questions for you, but
16 at any time you desire, you may confer privately with
17 your counsel. Now, if you decide to answer questions
18 now without having counsel present, you may stop answering
19 questions at any time. Also, you may request counsel
20 at any time during the questioning.
21

22 Do you desire counsel?

23 A. This is kind of a kick in the deck. I don't
24 even know what I am up against, to tell you the truth.
25 I mean it sounds serious as hell that I am going up for
26 a war crime. Can you advise me?
27

28 Q. Well, it is up to you to make the decision.
29 We can get you counsel, if you so desire.

30 A. In other words, I am being investigated for a
31 war crime?
32

33 Q. That is correct.

34 A. I guess I should get counsel. I mean, can you
35 give me any idea what this can result in?
36

37 Q. It could result, if the allegations are sub-
38 stantiated, it could possibly lead to charges being
39 preferred probably under Article 109, having to do
40 with destruction of property other than the US military;
41 and 118 is murder.

42 A. And I could be held for a capital crime?
43

44 Q. That is correct.

45 A. I guess I better get some counsel.

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(CALLEY)

3 rh

1 Q. All right, we will cease at this point.
2 Recognizing that this would probably happen, we have
3 called MDW, and we called them this morning, and they
4 sent over a lawyer from Fort Myer, and if you are
5 willing to accept him as your counsel, you want to talk
6 to him now, we will take a break here.

7 A. I don't have any other thing to ask then.
8

9 Q. We will close off here. Actually I think it
10 would be best, at least initially, if we moved out of
11 here and just let you talk to him here first, and then
12 whatever discussion you have. Then we will come back
13 and start over again.

14 A. All right, sir.
15

16 Q. At any time during the interrogation you wish
17 to talk to him privately, then at that point it would
18 probably be more convenient for you two to go off into
19 an empty office to take, but at this time we will go off.
20

21 A. This is a formal investigation, it is not
22 casual?

23 Q. Yes, it is. It is not casual.
24

25 (At this point Colonel Stanfield and the
26 shorthand reporter left the room while the
27 witness conferred with counsel, following which
28 the interrogation resumed as follows:)
29

30 Q. Let the record show that the witness requested
31 counsel. Counsel is present at this time.
32

33 Captain, will you state your full name, grade
34 and serial number?

35 A. (CPT BLITZ) Yes, sir. Arthur H. Blitz,
36 Captain, JAGC; serial number, 05221140, Headquarters,
37 Fort Myer, Virginia, Office of the Post Judge Advocate.
38

39 Q. Are you an attorney?

40 A. (CPT Blitz) Yes, sir, I am.
41

42 Q. Captain, this investigation concerns the
43 alleged destruction of a village in South Vietnam nick-
44 named "Pinkville" which was approximately five or six
45 miles northeast of Quang Ngai City. The incident allegedly

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occurred in March of 1968 during the time Company C, 1/20th Infantry, Task Force Barker, conducted search and destroy operations in the area of the Batangan Peninsula. The investigation is official and is made by the direction of the Chief of Staff of the Army. The investigation is privileged in the sense that the report will be made to the Chief of Staff. The substance thereof should not be discussed with others. It will carry a CONFIDENTIAL classification. The purpose of this investigation is to determine the facts surrounding the incidents.

I have given the witness the following warning:

"You are advised that you are suspected of having committed a war crime, to wit: Wrongful destruction of a village and murder of Vietnamese civilians in violation of Articles 109 and 118, Uniform Code of Military Justice."

He was informed that he had a right to counsel and have counsel with him during the interrogation. The counsel may be civilian counsel provided at his expense, or military counsel of his selection, if reasonably available, at no expense to him, or military counsel appointed at no expense to the witness. He was further advised that in the event he desired counsel with him during the interrogation, that counsel is here solely as an advisor. Counsel may not answer questions, but at any time the witness desires, he may confer with you. At that time he stated he wanted counsel.

The allegations in the case were not given to the witness and I am going to give them to you now so you will have a knowledge of why this warning was given. The basis of giving the warning was really marginal at that point. When I give you the series of allegations and you want to break again and confer, you may, or I will explain any questions that you might have.

"1. Task Force Barker was assigned the mission to destroy "Pinkville" (estimated to consist of 300 - 400 people) and all of its inhabitants.

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"2. Charlie Company, 1/20th Infantry of Task Force Barker was to move through Pinkville and destroy the structures and the inhabitants.

"3. The radio operator of CPT Ernest L. Medina, CO, Co C, fired a burst of M16 fire into a wounded boy about three or four years old.

"4. A man in PFC Gruver's squad shot himself in the foot in order to be evacuated so that he would not have to participate in the slaughter at Pinkville.

"5. 2LT Bernard J. Kallai" -- the letter was not certain as to the name, but "2LT", they called it, "Bernard Kallai rounded up several groups of villagers (each group consisting of a minimum of 20 persons of both sexes and all ages) and machine-gunned each group.

"6. PFC Michael Terry and PFC William Doherty finished off a group of wounded civilians left behind by the leading platoons.

"7. CPT Ernest L. Medina issued the order for the destruction of Pinkville.

"8. 2LT Kallai ordered SP4 Esequiel Torees to open fire on a group of assembled villagers.

"9. CPT Ernest L. Medina told PFC Michael Bernhardt not to do anything stupid like write his Congressman concerning the Pinkville atrocities.

And lastly: "A number of South Vietnamese Nationals working with C Company, to include Local Police, Popular Force and ARVN, were indiscriminately killing villagers. A Local Policeman would interrogate the villagers and shoot them on completion of the interrogation."

A. That is the nature of the list of allegations.
(CPT Blitz) Yes, sir.

Q. Unless you wish to break again at this point in time, I would like to start with the various questions I have got.

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(CALLEY)

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6 rh 1 Lieutenant Calley, what was your duty assign-
2 ment in March of 1968 at the time C Company, 1/20th
3 conducted operations north of Quang Ngai City in what
4 is referred to as the Pinkville area?

5 A. (1LT Calley) I was Platoon Leader of 1st
6 Platoon, sir.

7
8 Q. Who were your squad leaders? Do you remember?

9 A. Sir, if I could, I would like to make a state-
10 ment and request to have a grant of immunity in any
11 outcome of this investigation, if at all possible. I
12 feel the outcome may be serious enough that I would have
13 to refuse to answer any questions in this investigation.

14
15 Q. I do not have any authority to grant immunity.

16 A. Well, I would need it to be in writing from
17 an individual that would have authority to grant me a
18 court-martial or any kind of punishment. It would have
19 to be as high as the Chief of Staff.

20
21 A. (CPT Blitz) Sir, may I make a statement at
22 this point? I realize I may not answer questions for
23 the witness, but I think I could rephrase or state for
24 the record his position and ask whether he concurs in
25 my statement.

26
27 Q. All right.

28 A. (CPT Blitz) I wish to state at this time that
29 I have talked with the witness and that he desires that
30 he be given a grant of immunity from competent military
31 authority prior to discussing this matter during the
32 investigation. He indicated to me that he is willing
33 to disclose whatever occurred in March of '68 pertaining
34 to Pinkville but that before disclosure, and before
35 giving testimony, he desires, in writing, a grant of
36 immunity which would isolate him from criminal prosecution
37 in a military proceeding, or in a similar civilian criminal
38 proceeding, and that in the absence of such a grant of
39 immunity, he desires not to answer any questions for fear
40 that his answers might tend to incriminate him.

41
42 Is this a correct statement?

43 A. (1LT Calley) Right, I would concur with that,
44 but let me add, if the US Army wants to know about the
45 tactical situation and how to prevent this in the future,

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and everything, I can fully concur with the investigation as a source. With everybody doing their job as it is, I cannot see where somebody might be held liable in a punitive -- or I cannot see going into it, and I can't. I myself, hell I have nothing to hold back on because I don't have much, such as the other people involved, CPT Medina, et cetera, have a wife and kids, are good military people, do the best job they know how for everybody involved, in this type of investigation, sir.

Q. This is your prerogative not to answer questions. I can be certain that there can be no grant of immunity given. I would like to read off several questions that I would like -- put it this way -- that I would like to have started out with, and recognize that any point in time you could stop answering. I would want to find out who your squad leaders were; who some of the other personnel in your platoon were, or other people were; whether any South Vietnamese Nationals were operating with your platoon; what the plan was, as you remember it, for that day; what your understanding of the enemy situation was; whether you had participated in any operations around My Lai (4), which is the specific village in question, prior to this time or afterward; the conduct of the combat assault coming in; what you know of artillery gun ship preparations before coming in; any fire from the ground; how your unit deployed; what sort of communications you had, both up and down; what your understanding is of the Rules of Engagement; understanding of the difference between missions of search and destroy and search and clear; what methods were used by helicopters to mark VC, mark medical evac; what use of smoke, what SOPs or standard use of smoke was in those areas; some of the characteristics of My Lai (4) itself. Those are some of the questions that I wanted to talk about, the background, before we got into any specifics of what might have happened in My Lai.

A. I will still have to stand -- as far as the squad leaders, and everything, I would like to enforce my right to remain silent because there are just too many people involved that didn't want to be over there but did a damn good military job, to be pulled in and taken down in something like this, and probably take the rest of their life to forget about. I would just

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1 like to remain silent at this time.

2
3 Q. Well, let's take a break at this point here.

4
5 (At this point a brief recess was taken,
6 following which the interrogation resumed as
7 follows:)

8
9 Q. At this time we can be certain that there
10 would be no grant of immunity given in this case. I
11 would like to state, to finish off this, that it is
12 an official investigation. It is privileged in the
13 sense that the report will be made to the Chief of Staff
14 for such use as he deems appropriate. You are ordered
15 not to discuss the investigation or anything we have
16 covered during this interview except as you otherwise may
17 have a right to do so in accordance with law.

18
19 Now, we also have initiated with The Adjutant
20 General a flagging action. We did this because we
21 realized that you were coming back for release from
22 active duty.

23 A. I was coming back PCS. Your note did say
24 "separation".

25
26 Q. Well, your original orders, you originally
27 were going to Fort McClellan, Alabama, I believe.

28 A. Those orders are still in force.

29
30 Q. Somewhere along the line we hadn't gotten
31 the word, because the word we got last week was that
32 those orders were issued by the Office of Personnel
33 Operations at a time when they thought your DEROS
34 was 30 May. Someone had goofed on computing your
35 extension. They added six months and forgot the thirty-
36 day leave which goes with that, which adds 30 days on
37 it. When they discovered it was 30 June, that came
38 within 90 days of your ETS of 6 September, and therefore
39 you were to be released at port. In order to bring you
40 in here, we put a flagging action which would keep you
41 from being released at port and continue on to here,
42 so that we will have to talk to OPO, Infantry Branch of
43 OPO, and they are the ones that will either amend those
44 orders or tell you to continue with them, or just what,
45 but as far as you are concerned then, the orders you

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have now, the latest ones say that you are going to Fort McClellan, Alabama, with TDY in here.

A. That's right.

Q. That is the way we set it up in May when we expected you back the first of May. The reason we pulled you out was because we wanted to talk to you some time before early July, and therefore that is why we arranged for OPO, for them to talk to USARV, so that is why you probably came out with something of a surprise. It surprised us you came this fast.

A. It was quite fast.

Q. Yes. I imagine what they will do is either amend the orders, or what have you, but you will probably continue from here, go home on leave, and then go to whatever assignment, Fort McClellan or some place.

A. Under this flag I will be allowed to go on leave?

Q. Yes, you probably would be allowed to go on leave.

A. How about leaving the country on leave?

Q. You just asked me a question I haven't got the answer to. I would have to look that up. All right then, this session is closed.

(The witness was excused.)

(The foregoing testimony of 1LT William L. Calley, Jr., 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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(CALLEY) (END)