

SUMMARY OF TESTIMONY

WITNESS: FLYNN, James H.

DATE OF TESTIMONY: 11 February 1970

PLACE OF TESTIMONY: Pentagon

WITNESS SUSPECTED OF: N/A

COUNSEL: None

DUTY ASSIGNMENT ON 16 MARCH 1968: Mortar Forward Observer,
Attached to C/1/20.

1. PRIOR TRAINING IN THE RULES OF LAND WARFARE.

The witness joined the 11th Brigade in August of 1966 (pg. 55). He came from Hawaii with the unit and arrived in Vietnam on 4 December (pgs. 4, 55). On 15 March 1968 he was attached to C/1/20 (pg. 4). He did not recall receiving any training on the handling of noncombatants (pg. 55). He never saw the MACV cards, "Nine Rules" and "The Enemy in Your Hands" (pg. 55). He stated that at Duc Pho he did not receive any training on the handling of noncombatants (pg. 56).

2. PREOPERATIONAL PLANS AND BRIEFINGS.

The witness stated that Captain MEDINA briefed them the night before the operation (pg. 2). They were told to "get anything that moved out there, cows, chickens, or anything" (pg. 2). The witness understood this to mean that they were to kill women, children, and the animals (pg. 2). The witness recalled that MEDINA was asked if they were to "get young kids" to which MEDINA replied "yes" (pgs. 3, 38). The witness received no other briefings (pg. 4). He stated that he thought that the men were "sort of happy to be able to get something" (pg. 5). He thought that they were going out for revenge (pg. 5).

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3. ASSAULT ON MY LAI.

a. Landing and initial movement.

The witness was on the second to the last lift with MEDINA and three other RTO's (pgs. 5, 6). When they landed in a rice paddy inside the woodline, there was firing going on (pg. 6). When the lift was complete they started to move towards the village (pg. 6). Initially, they moved on the trail that goes along the southern part of the village of My Lai (4) (pg. 7). He recalled a helicopter notifying them of the presence of someone with weapons (pg. 7). He did not recall the route that they took then but he stated that he was with Captain MEDINA all the time (pg. 7). They looked to the south of the village of My Lai (4) for the weapon but the witness stated that they never found it (pg. 8).

b. Movement into the village.

The witness stated that they went up the north-south trail which is in the center of the village of My Lai (4) (pg. 8). He saw a large pile of bodies along the trail (pg. 8). He recalled encountering a girl lying along the trail and "playing like she was dead" (pg. 11). MEDINA kicked over the basket that she had and the witness stated that he thought it contained medical supplies (pg. 11). He stated that she was "not hurt at all" and that he then saw Captain MEDINA shooter (pg. 11). He located the body as being along a rice paddy dike in the south-western part of the village (pgs. 11, 12). The bodies that he saw as they walked along the trail were mostly of women and children (pg. 12). There were between 15 and 20 bodies (pg. 12). He did not know who shot the group and stated that the people were dead when they got there (pg. 12). The witness stated that he was the second man behind MEDINA and that MEDINA saw the bodies (pg. 12). MEDINA did not make any comment about them nor did he question anybody as to how they were shot (pgs. 12, 13).

c. CARTER's medevac.

As they moved up the trail they encountered CARTER (pg. 13). MEDINA used the witness' radio to call for the medevac (pg. 9). The witness did not think that the

helicopter which landed was a medevac chopper (pg. 9). He stated that there was an officer in the helicopter but he did not know if the officer got out (pg. 10). The witness stated that he knew that Lieutenant Colonel BARKER was flying around the area of My Lai (4) that day (pg. 10). He knew this because MEDINA had talked with BARKER on the radio (pg. 10). The witness stated that "it could have been" BARKER who landed for the medevac (pg. 10). He also thought that BARKER made low passes over the village but was not sure (pg. 39).

d. Activity in the village.

As they continued up the trail the witness stated that he saw four Vietnamese walking (pg. 13). Someone shot at them but did not hit them (pg. 13). The Vietnamese ran away from the village (pg. 14). MEDINA saw them being shot at and told the men to stop shooting (pg. 14). They moved through the village in a northeasterly direction checking hootches (pg. 14). He recalled encountering an old man who was questioned (pg. 14). Further on they encountered two girls, between five and eight years old (pg. 14). The witness stated that they took the girls with them until they arrived at a different village where they left them with some other Vietnamese people (pg. 14). The witness recalled seeing a number of dead bodies in the center of the village around the hootches (pg. 15). He recalled one family consisting of a mother, a father, and three children lying out in front of a hootch (pg. 15). He also recalled seeing another bunch of dead bodies but did not remember where (pg. 15). He stated that he saw bodies in a gully which was on the outside of the village (pg. 16). He approximated the location as being to their right as they walked in a easterly direction (pg. 16). While in the village MEDINA called all of the platoon leaders and told them to stop the killing (pg. 17). The witness stated that this happened when they reached the eastern part of the village and stopped for lunch (pg. 17). MEDINA called them on the radio (pg. 18). He did not recall any transmissions about stopping the burning (pg. 20). The witness stated that he saw quite a few of the huts in the village being burned (pg. 20).

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Body count....

307

e. Reported body count.

The witness stated that he believed he heard a transmission which came to MEDINA from the Task Force Barker TOC (pg. 18). The witness stated that MEDINA gave a body count of 307 (pg. 18). The witness did not know if MEDINA got the body count from the platoons, and did not know where MEDINA got the figures (pg. 19). The radio of the witness was on the air-to-ground frequency and he remembered a helicopter pilot calling Captain MEDINA (pg. 19). The witness stated that something was said about what was going on and MEDINA replied that he did not know (pg. 19). The witness did not know who made the call and he stated that either the Task Force Barker frequency or the gunship frequency was being used (pgs. 19, 20). He did not recall any further transmissions (pg. 20).

f. The presence of a photographer.

The witness stated that he recalled Jay ROBERTS being present on the operation (pg. 21). The witness stated that he spoke with ROBERTS as they walked through the village (pg. 22). He stated that ROBERTS asked him if they always "did that when they went through the villages" (pg. 22). The witness told ROBERTS that he did not know because he had just gotten there the day before (pg. 22). He stated that ROBERTS left about noon (pg. 22). The witness identified numerous photographs (See Exhibit List, infra). The witness stated that ROBERTS moved on his own and did not remain with MEDINA's command group throughout the entire trip (pg. 22). The witness could not recall anyone else having a camera (pg. 22).

g. Further movement and the night laager.*Laager*

The witness stated that they ate lunch in the eastern part of the village (pg. 22). They then swept through a rice paddy area (pg. 23). He remembered entering a village in which a lady was holding her young son and "jabbering about something" (pg. 23). MEDINA told the interpreter to tell the woman to move down the highway (pg. 23). They laagered right inside a cemetery that night but the witness did not recall laagering with Bravo Company (pg. 23). During the evening he remembered that

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some Vietnamese were seen 500 meters away and were fired upon but were not hit (pgs. 23, 24). The witness recalled seeing National Police present (pg. 24). He stated that he saw the police interrogating the prisoners and he felt that "they treated them pretty rough" (pg. 24). There was an American officer with them at this time but he did not know who it was nor could he describe him (pg. 24). He recalled an American interrogating a Vietnamese and he stated that "they cut one guy's ear or cut his neck or something" (pg. 25). He stated that he also remembered seeing them chop one of the man's fingers off (pg. 25). This was done by an American not by the National Police (pg. 25). The witness was standing five to ten feet away from the incident (pg. 25). The witness stated that the National Police then took the prisoners behind some trees and shot all but one of them (pg. 26). He estimated that ten prisoners were there in the beginning (pg. 26). The witness stated that the prisoners were picked up about mid-afternoon when they met with B Company (pg. 27).

h. Visiting officers.

The witness stated that he recalled a lieutenant colonel landing in a helicopter (pg. 28). He did not know who it was and could not remember if the person spoke with MEDINA (pg. 28). The helicopter waited for the officer (pg. 28). The witness could not say if only one officer got off (pg. 29). He did not know if the National Police came on the same helicopter or not (pg. 29).

4. INQUIRIES CONCERNING THE ASSAULT.

The witness stated that neither MEDINA nor anyone else spoke with him about what happened at My Lai (4) (pgs. 29, 30). He did recall MEDINA informing them that they were having a brigade investigation (pg. 30). MEDINA told them "not to say anything about what happened" and also told them that only he would talk about it (pg. 30). The witness had the impression that they were not to say anything to any investigating officers (pg. 30). He did not recall whether he was told this before or after the extraction (pgs. 30, 31). The witness did not recall the helicopter being met by an officer at LZ Dottie (pg. 31). The witness did not recall any discussions among the men

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after the incident (pg. 23). The witness was not questioned by anyone and the only thing he heard about an investigation was what MEDINA had told them (pgs. 33, 34).

5. OTHER INFORMATION.

a. The witness described MEDINA as a strict officer who "knew his job real well" (pg. 32). He felt that MEDINA had control of the company during My Lai (4) (pg. 32). He felt that the reason so many people were killed was because the men had been told the night before to "shoot them all" (pg. 32).

b. The witness heard nothing about any killings which may have taken place in Co Lay (2) (pgs. 32,33).

c. The witness described the attitude of the men in the company towards the Vietnamese as being "shrewd" (pg. 34). He stated that the men did not like the Vietnamese and were "rough on them" (pgs. 34, 35). He stated that he knew there was a lot of raping going on in the village (pg. 35). The witness stated that when they captured the two Vietnamese and the nurse he saw people putting cigarette butts in the elastic of the prisoner's pants while the Vietnamese had their hands tied (pg. 35). The witness stated that he did not see any rapes and did not hear of any occurring at My Lai (4) (pg. 35). He could not recall who was talking about rapes (pg. 36).

d. The witness stated that the biggest percentage of the unit did not smoke marijuana (pg. 39). He did not observe anyone under the influence of marijuana that day and he did not think that anyone was (pg. 39).

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EXHIBITS

EXHIBIT

NUMBER	DESCRIPTION	NOTES	PAGES
M-2	MACV Card "Nine Rules"	Wit had never seen before.	55
M-3	MACV Card "The Enemy in Your Hands"	Wit had not seen before.	55
P-1	Aerial photo of My Lai (4)	Used to orient the witness.	6
P-2 to P-4	Miscellaneous Scene	Wit identified location of an old man.	48
P-6 & P-7	Miscellaneous Scene	Wit identified CARTER.	49
P-8	Miscellaneous Scene	Wit identified CARTER and MARTIN on MEDINA's right.	50
P-9	Miscellaneous Scene	Wit identified as the area of the CARTER medevac.	50
P-10	Miscellaneous Scene	Wit identified BERNHARDT on the right.	50
P-11	Miscellaneous Scene	Wit identified CARTER being carried to the helicopter. SGTS MARONEY and PHU, and himself with his steel pot off.	51
P-16	Miscellaneous Scene	Wit recognized a house from My Lai (4).	52

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EXHIBITS

EXHIBIT

EXHIBIT NUMBER	DESCRIPTION	NOTES	PAGES
P-17	Miscellaneous Scene	Wit identified LT ALAUX, SGT Maroney, SGT PHU, CPT MEDINA CAPEZZA with an M-16, an engineer as the second from left, MARTIN as the fourth person from the left, and himself with his hands behind his head.	52, 53
P-18	Miscellaneous Scene	Wit identified captured suspects.	53
P-35	Miscellaneous Scene	Wit saw the items being burned, but did not know the soldier.	54
P-36	Miscellaneous Scene	Wit recognized CARTER.	54
P-41	Miscellaneous Scene	Wit located as point 4 on P-226.	54
P-226	Annotated aerial photo	Wit marked: 1-LZ, the dead girl and bodies. 2-The location of CARTER. 3-The location of the medevac. 4-The location of 15-20 bodies. 5-His location when MEDINA ordered a cease fire.	41-43 44 44 44 46
MAP-4	Map 6739 II	Oriented the witness.	6

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(The hearing reconvened at 1335 hours, 11 February 1970.)

MAJ ZYCHOWSKI: The hearing will come to order.

RCDR: The following persons are present: Major ZYCHOWSKI and MAJ COOP.

The next witness is Mr. James H. FLYNN

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

Will you state your full name, occupation and address?

A. James H. FLYNN, I am a sprinkler installer, Plain View, Minnesota.

MAJ ZYCHOWSKI: Mr. FLYNN, have you read our Exhibit M-57?

A. Yes, sir.

Q. Do you have any questions on that exhibit?

A. No, sir.

Q. Mr. FLYNN, have you received a letter from the military judge in the court martial case of United States v. Calley or United States v. Mitchell?

A. No, I haven't.

Q. Mr. FLYNN, for the record, were you a member of the Army on 16 March 1968?

A. Yes, I was.

Q. What was your duty assignment on that day?

A. I was a forward observer for a 4.2 mortar.

Q. What unit were you with?

A. I was with C/1/20.

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Q. And that was C/1/20 Infantry?

A. I was attached to them.

Q. And at this time, they were a part of Task Force Barker?

A. Yes, sir.

Q. Mr. FLYNN, when did you first hear of a planned assault on My Lai (4)?

A. The night before we went there.

Q. The night before?

A. Yes, sir.

Q. Would you tell us, the best that you can recall, the briefing that you received?

A. Well, the night before it got dark, Captain MEDINA got us in a big group outside and he told us that we are going to go in that My Lai area, My Lai (4), and we were supposed to get anything that moved out there, cows, chickens, or anything.

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Q. You were supposed to do what?

A. We were supposed to get everything that moved.

Q. By "get everything," what are you referring to there?

A. Women, children, cows, and pigs and anything that was out there.

Q. What I'm trying to get at is what do you mean by the word "get" cows, pigs, women, children, everything.

A. We were supposed to kill them.

Q. Your understanding, then, was that you were to kill women, children, cows, pigs, animals, et cetera? Is that correct?

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A. Yes, sir.

Q. I assume this briefing took place, then, at LZ Dottie?

A. Yes, sir.

Q. Do you recall anything else about this briefing that you received from Captain MEDINA?

A. No, sir.

Q. Were there any questions that came up from the members of the company with reference to this briefing?

A. Well, there was a couple of guys that ask if we were supposed to get young kids or anything like that.

Q. They asked this of Captain MEDINA? }

A. Yes, sir.

Q. What was the reply? }

A. He said, "yes," we were supposed to get everything. }

Q. Get everything?

A. Yes.

Q. Approximately how long did this briefing last?

A. I would say about 10 or 15 minutes, along in there.

Q. Do you know if there was a meeting of the platoon leaders and platoon sergeants with Captain MEDINA prior to the briefing that Captain MEDINA had with the company or after?

A. I wouldn't know.

Q. Did you receive any further briefing by your platoon leader or your platoon sergeant?

A. No, I was on my own out there.

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Q. You were on your own then?

A. Yes, sir.

Q. In other words, after the briefing by Captain MEDINA, you had no other briefing?

A. No, sir.

Q. Do you recall if there was a memorial service that was held sometime prior to this briefing on 15 March 1968?

A. I'm not too sure if there was one. See, I had just come to LZ Dottie the day before that.

Q. You had just arrived the day before?

A. Yes.

Q. When did you arrive in country, then?

A. December 4th, the same time the unit got there.

Q. But you did not actually become attached to C Company, then, until the 14th of March?

A. The day before we went to My Lai (4).

Q. The day before, or 2 days before?

A. The day before.

Q. The date you actually had the briefing then, the 15th?

A. Yes.

Q. You actually joined C Company the 15th of March, the day of briefing and the day prior to the operation on My Lai (4)?

A. Yes.

Q. What would you say was the mood of the men on the day of the 15th?

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A. Well, they were -- I thought they were sort of happy to be able to get something that -- well, they had been losing a lot of men out there, I guess. We lost a real good sergeant out there, so I think they were ready to sort of pay revenge for that.

Q. Was this brought out during Captain MEDINA's briefing?

A. He said now they had a chance to get revenge.

Q. He did say this is a chance for them to get revenge?

A. Yes, he did.

Q. In other words, then your feeling was that this was the opportunity for the company to get back at the VC for what they had done to the men of the company?

A. Yes, sir.

Q. Can you recall anything else which may have transpired on the day of the 15th?

A. No, sir.

Q. Let's now go to the day of the 16th, the day on which the assault took place. Do you recall what the mood was of the men during the lift?

A. Well, everybody was quiet as I suppose any ordinary lift would be.

Q. Do you recall what lift you were on?

Q. I was on the last lift, well, second to the last lift?

Q. Do you recall who was with you on this lift in the chopper?

A. Yes. Captain MEDINA and his RTO's were on there with him and me.

Q. Just the three of you, then?

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A. No, there were four. I believe there were about three other RTO's with radios with him.

Q. Okay. When you landed in My Lai (4), would you explain what took place then?

A. Well, we jumped off the helicopter. We got down right away. We didn't know if anybody was shooting at us or not, then we heard all kinds of shooting going on inside the wood line. We landed in a rice paddy. Inside the wood line, there was all kind of firing going on. We didn't know if anybody was shooting at us so we got down and waited until everybody else got in. Then when everybody else got in, we started moving in towards the village.

Q. After this time you were with Captain MEDINA the entire time?

A. Yes, I was with Captain MEDINA all day long.

Q. What was your job? I realize you were the forward observer. What was your association in this case with Captain MEDINA?

A. As I said, I was the "four-deuce" forward observer, but I was out of range. We couldn't use the "four-deuce" at all, because we were out of their range. So I had my radio on air to ground frequency, from the helicopter to the ground, and I was acting as one of his RTO's.

Q. So, you had a radio with you?

A. Yes, sir.

Q. Mr. FLYNN, I show you an aerial photograph of My Lai (4) and the immediate area. This is entered in the record as Exhibit P-1, and I also show you a map here which has a scale of 1:25,000, and it is entered in the record as Exhibit MAP-4.

(MAJ ZYCHOWSKI oriented the witness on the map.)

Mr. FLYNN, would you indicate on the map, approximately where the LZ was?

A. Well, if I have my directions correct it was right, I believe right around in there.

Q. You mentioned that you got out of the chopper and you took cover, that you did not know if you were being shot at or not but you did hear firing in the village. Is that correct?

A. Yes, sir.

Q. Okay. Would you continue from there?

A. Well, as we were going along here we got up when the last lift come in, I believe on this trail right in here.

Q. The trail that goes along the southern part of the village of My Lai (4)?

A. I think we thought we saw somebody with weapons some place. I can't remember if it was up here or right here. I believe a helicopter called in and said somebody was over there with weapons and they had got them. So we came over in here some place trying to find the weapon.

Q. Here is the highway down here. Do you recall going somewhere, perhaps down in this general direction?

A. I can't remember. I stayed with Captain MEDINA all the time.

Q. In other words, you don't recall the route you took then from the time you landed at the LZ, as to where you went at that time? Is that correct?

A. I don't think Captain MEDINA went down that highway.

Q. Well, where do you think you did go from the LZ?

A. We started going up, just checking over and he was seeing what was going on.

Q. Do you recall though that the pilot radioed in about some weapons some place?

A. Yes, sir.

Q. But you don't recall where it was?

(FLYNN)

A. It was on the right over here some place, because we went over here looking to see if we could find it but we never found one.

Q. You never found the weapon then?

A. No.

Q. You are indicating on the map, then, that this is south of the village of My Lai (4). Is that correct?

A. Yes.

Q. Okay. Would you continue from there.

A. As we got up on this, I believe it was this trail right here, if it's a pretty wide trail --

Q. (Interposing) You're now indicating the north-south trail which is in the center of the village of My Lai (4)?

A. Yes. There was a big pile of bodies right in here some place, I believe. And well, after we had done gone through somebody got shot up here. He shot himself whatever the deal was.

Q. Do you recall his name?

A. No, I didn't know his name.

Q. This was a man by the name of CARTER. Did you see him --

A. (Interposing) Yes, I used my radio to call in for a chopper.

Q. You used your radio?

A. I used my radio to call for a medevac and we -- and I can't remember exactly what the ordeal was.

Q. Do you recall who you called to for this medevac?

A. No, I don't.

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Q. Were you still on the same frequency that you were on or did you change frequencies?

A. We changed frequencies.

Q. Did you change the medevac frequency?

A. Yes, I did.

Q. Did you make contact with the medevac?

A. I can't remember. See, Captain MEDINA was talking on the radio.

Q. He was talking on the radio too, then?

A. Yes.

Q. Do you recall what he was talking about? Was he calling the medevac too, or calling for choppers to come in?

A. Well, he was calling for a medevac off my radio.

Q. Oh, off your radio. I thought you said you called for the medevac?

A. No, he used my radio.

Q. So Captain MEDINA actually used your radio to call for the medevac?

A. Yes.

Q. Do you recall seeing this chopper come in and pick up CARTER?

A. Yes, sir.

Q. Was it a medevac chopper?

A. I don't think it was.

Q. Do you recall who was in the chopper, whose chopper it was?

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A. No. I think it was a major or something.

Q. A major?

A. Some officer, I think.

Q. There was an officer in the chopper?

A. I believe so, if I remember correctly.

Q. Did he get out of the chopper?

A. I can't remember.

Q. Did you know Lieutenant Colonel BARKER?

A. Yes, sir.

Q. Do you know if he was flying around the area of
My Lai (4)?

A. Yes, he was.

Q. How do you know?

A. Well, Captain MEDINA had been talking to him on
the radio.

Q. Well, how do you know he was right over My Lai (4)
at the time.

A. He was flying around it.

Q. He was flying around it, in this case communica-
ting with Captain MEDINA?

A. Yes, sir.

Q. Could it by any chance be his chopper that came
down and picked up CARTER?

A. It could have been.

Q. But you are not sure of that?

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A. No.

Q. Later on, I'll have you try and trace your route as best you can recall on this map. I'll also show you some photographs and ask if you can recognize anything about these photographs, as far as personnel, terrain features, and so forth, and see possibly, if we can plot those on the map.

Okay, I would like to go back to the north and south trail where you indicated you saw a group of bodies located. Could you explain this in a little more detail?

A. Well, as we were coming down, I just seen a group of dead bodies. I think it was back here some place where we went to look for those "gooks" with weapons. We were walking along the trail and I remember there was a girl there laying along the trail. She wasn't dead or anything she was playing like she was dead. Captain MEDINA kicked her basket over, and I believe she had some medical supplies in there. I think that was the same body. She wasn't hurt at all.

Q. Did anything happen to her?

A. Yes, she was shot.

Q. By whom?

A. I think it was Captain MEDINA that shot her.

Q. Did you see him actually shoot her?

A. Yes.

Q. Were you actually facing him and facing the girl when the shooting took place?

A. I can't remember.

Q. Where was the location of this girl in comparison to that of the bodies that you had observed?

A. Well, it was back in here along the rice paddy dike some place.

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Q. Are you pointing to the southwestern part of the village? Is that correct?

A. Yes, sir.

Q. Then from there you walked over to the north-south trail and this is where you observed the bodies?

A. Yes, sir.

Q. Approximately how many bodies were there?

A. I'd say there was at least 20, between 15 and 20.

Q. 15 and 20?

A. Yes, sir.

Q. Do you recall their ages and sexes, by chance?

A. There was mostly women and kids.

Q. Women and kids?

A. Yes, sir.

Q. Do you know who shot this group?

A. No, sir. They were dead when we got there.

Q. How close were you to Captain MEDINA up to this time?

A. Well, I was usually about the second man behind him, I believe.

Q. So you were close to him, then, when you saw these bodies? Is that correct?

A. I believe I was, sir.

Q. Do you know if he saw these bodies?

A. Yes, he did.

Q. Did he make any comment about them or say anything about them?

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A. No, sir.

Q. Did he question anybody as to how they got shot?

A. No, sir.

Q. Okay. From the time you left the bodies there, is this where you went then to see CARTER, who had shot himself?

A. Well, it was about the same time.

Q. About the same time.

A. Yes, sir.

Q. How long was it after you had called for the chopper that it came in?

A. I can't recall.

Q. Do you recall the approximate area where the chopper landed?

A. Well, it wasn't too far outside the tree line in the rice paddy.

Q. Again, this is off the north-south trail then, there?

A. Yes, sir.

Q. All right would you continue?

A. Well, I think this is the trail or something going right in here or probably a rice paddy dike or something. I remember there were about four people walking as we were going up there. I don't know who it was, but somebody started shooting at them.

Q. Do you know if they hit them?

A. No, they didn't.

Q. In this case, they were southeast?

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A. They were running away from the village.

Q. Village of My Lai (4). Let me ask you this, did Captain MEDINA see them shooting at them?

A. He had to.

Q. Did he say anything at them?

A. Yes, they were told to stop shooting.

Q. He told the men to stop shooting?

A. Yes, sir, at that particular group.

Q. Okay. After CARTER was evac'd do you recall the route you took?

A. Yes, we started going in the village a little bit.

Q. You are now moving in a northeasterly direction?

A. We went through the village up in here, and checking out hootches and stuff like that. In one of the places they found an old man in there. He was alive and everything and they were trying to ask him where the VC were.

Q. Who was asking this?

A. Different people. He was real old and all crippled up and they couldn't get nothing out of him, so they just let him sit there. Further on up I can remember getting two little girls. They were about, I would say, both of them were between 5 and about 8 or 9 years old. I remember we took them with us. Some place else we got to a different village and we left them off with some other Vietnamese people. And I remember after we got up to here, they didn't shoot any people up in here at all.

Q. You are referring now to the eastern part of the village of My Lai (4)?

A. Yes, sir.

Q. I would like to go back a little bit. Other than

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the group of bodies you saw on the north-south trail, did you see any other bodies or any other shootings or killings that took place in the village?

A. In the inner part of the village around the hootches and places like that, I can remember seeing a lot of dead bodies in there, like families. I can recall one family. There must have been a mother and father and three kids lying out in front of the hootch. I can remember one place but I can't remember where it was. There was a bunch of dead bodies in there.

Q. From the time you started traveling from the north-south trail in a northeasterly direction, you did see a number of bodies scattered throughout the area?

A. Yes, sir.

Q. Could you estimate the number you observed along this route?

A. No, sir. I can remember going some place sort of a brush hill. I can't recall where it was. I was looking for it but I can't recall where it was. There was a lot of dead bodies. You look down there and there are all kinds of dead bodies lying in there.

Q. Now, this is outside of the village?

A. Well, I believe it was. We were going up some -- it was right up in here somewhere, I think.

Q. Now, we can come back to that in just a minute. As you came to the eastern part of the village did you take a break there at all?

A. Yes, we broke for dinner.

Q. Broke for dinner?

A. Yes, sir.

Q. I'm trying to associate this group of bodies you saw in the ditch. Was this after dinner or before dinner?

A. It was before dinner.

Q. Before dinner?

A. Yes, sir.

Q. The best you can recall, then, it was inside the village here?

A. That we took the break?

Q. No, where you saw this ditch with the bodies in it.

A. Yes, well, it was just off--running out of the village some place.

Q. You saw this ditch as you were walking through the village then?

A. On the outskirts. It wasn't inside the village, the gully wasn't with the dead bodies in it. But I can't recall where it was or anything on the map.

Q. Okay, it was outside the village, then?

A. Yes.

Q. Can you recall an approximate direction that it was located as you were traveling through the village?

A. I believe it was off to the right someplace.

Q. As you were walking through, it was off to your right someplace?

A. I think it was.

Q. Perhaps later on we will try to place this on a map, if we can, as we go through it. At that time you were with Captain MEDINA, did you hear any transmissions about orders given by him to stop the killing or stop the shooting, other than this one incident where you mentioned you saw the three people running down here?

A. Not until we got into the village, because I can remember after that, he was talking on the radio to, I believe, it was Lieutenant CALLEY and he had told him to stop all the shooting, and he called all the platoon leaders and told them--

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all of the platoons--and told them to stop shooting.

Q. You think he talked to Lieutenant CALLEY?

A. All of the platoons. He called everybody and told them to stop shooting.

Q. He told this to them on the radio, to stop the killing or stop the shooting. Do you know which of the two it was? Was it stop the killing or was it stop the shooting?

A. It was stop the killing.

Q. This was just when you had reached the eastern part of the village of My Lai (4)?

A. That's right, before we stopped for our lunch break.

Q. About what time would this be?

A. I couldn't say for sure. We usually broke for lunch right around noon.

Q. After he had made this transmission to all of the platoon leaders. Is that correct?

A. Yes, sir.

Q. From that time, what was the time lapse before he had all the platoon leaders gather around and where he mentioned the same thing?

A. I can't remember if he talked to them during lunch break or not, but that was about the only time he would have talked to them.

Q. Do you recall all the officers that were called?

A. No, sir.

Q. Do you recall their names?

A. No, sir.

Q. Do you know Lieutenant CALLEY?

A. Yes, I do.

Q. Did you recognize him there?

A. No.

Q. How do you know they were the platoon leaders?

A. What do you mean?

Q. This meeting where Captain MEDINA told them to stop the killing?

A. He called them on the radio.

Q. After he called them on the radio, did you say he also called them to a meeting later on?

A. No.

Q. I misunderstood you. I had the impression that he had called them on the radio, and then later on, he called all of the platoon leaders together? CD
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A. No, sir.

Q. In other words, he just called them by radio, then?

A. Yes, sir.

Q. While you were with Captain MEDINA did you hear any transmissions that came to him from the TOC at Dottie, Task Force Barker's TOC, in reference to a body count?

A. Yes, I believe I did.

Q. Do you recall what was said?

A. All I heard was a body estimate. He said--well, before we stopped for lunch break, I remember he said there was 300; I believe it was 307, or something like that.

Q. 307? 7

A. Yes.

Q. Would you say that this was an approximate number?

A. Yes, sir.

Q. Do you recall if Captain MEDINA got a body count from the platoons?

A. I can't recall.

Q. How did Captain MEDINA come up with this figure then?

A. I don't know. That is what I wondered then.

Q. Do you recall any other transmissions that may have come over the radio?

A. Well, I can remember once--my radio was on the air to ground frequency and I can remember, once, a helicopter pilot called him up and I didn't know what he had asked him. I believe it was about what was going on or something like that.

Q. A helicopter pilot was calling Captain MEDINA?

A. I believe.

Q. You don't recall what he said?

A. It was something about what was going on or something like that, and Captain MEDINA said he didn't know.

Q. You don't recall who this may have been?

A. No, sir. Well, it was a helicopter, I know.

Q. Could it have been Colonel BARKER?

A. I don't know.

Q. Could you have recognized Colonel BARKER's voice over the radio?

A. The only way I would have recognized that was which radio it came off of. All the RTO's were together.

Q. At this time, you did change your frequency?

A. To that medevac. I changed it when Captain MEDINA called in the medevac and then changed it back to the old frequency.

Q. This frequency, then was from the chopper pilot to Captain MEDINA, then?

A. Yes, sir.

Q. In this case, he would have had to be on Task Force Barker's frequency?

A. Either that or gunship.

Q. In order for him to communicate with Captain MEDINA he would have had to be on Captain MEDINA's frequency?

A. Yes, sir.

Q. Do you recall any other transmissions?

A. No, sir.

Q. Did you hear any orders come out about stop the burning?

A. No.

Q. Now, let me go back somewhat here. As you were going with Captain MEDINA through the village, both the 1st and 2nd Platoons had already gone before you? Is that correct?

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A. Yes, sir.

Q. Did you see any of the huts in this village being burned?

A. There was quite a few being burnt.

Q. You already heard the order once, where Captain MEDINA told the platoon leaders to stop the killing. Did he also mention anything about stop the burning?

A. I can't recall.

Q. What made Captain MEDINA give this order to stop the killing?

(FLYNN)

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A. I don't know.

Q. Was there any specific incident that occurred, or did he get a radio call from someone telling him about these, or what?

A. I can't recall, sir.

Q. In other words, the only thing you can recall, then was just Captain MEDINA giving this order over the radio to the platoon leaders to stop the killing?

A. Yes, sir.

Q. You don't know what caused him to give this particular order?

A. No.

Q. Since you were with him so close, we would assume then, that he saw these bodies too. Is that correct?

A. Well, he had to. I mean, they were right there in plain sight.

Q. In addition to yourself and Captain MEDINA and the RTO's was there anybody else in the command group that you can recall by name?

A. You mean his RTO's?

Q. Other than his RTO's; other personnel that stayed with the command group.

A. Well, I knew the medic guy. I can't recall his name.

Q. Do you recall a PIO man and a photographer going along on this operation?

A. Jay ROBERTS, and I didn't know the other guy.

Q. You mentioned Jay ROBERTS. Did you know him personally?

A. Yes, sir.

Q. Was this from past association?

A. Yes, sir.

Q. Did you talk to him at all during your route through this village?

A. Yes, I believe, I did.

Q. Was there any conversation brought up about the number of bodies or number of killings that you had observed?

A. I believe I was by him that I was asked if we always did that when we went through the villages, and I told him I didn't know because I had just got there the day before. I believe I only talked to him once that I can remember, because he left about noon or a little bit before.

Q. Did he stay with you throughout your entire route through the village or did he move in another direction? Did he accompany you throughout the entire trip with Captain MEDINA's command group or did he go on his own?

A. I believe he went on his own, sir.

Q. Other than this PIO man, this photographer that accompanied ROBERTS, do you recall anyone else that may have been taking pictures there in My Lai (4)?

A. No, sir.

Q. Anybody else that you can recall that had a camera?

A. No, sir.

Q. After you ate lunch there in the eastern part of the village of My Lai (4), do you recall what your actions were from there?

A. I remember we had those two little girls with us

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and we started sweeping on through this rice paddy area right in here. Where is the Pinkville area on here?

Q. Well, it is actually located over here further. The map over there could show you a better picture.

A. I believe we come through here (indicating on Exhibit MAP-4).

Q. What do you recall about that day, that afternoon?

A. Well, I remember we got in one of the villages and there was a lady there. She had a young son, holding it in her arms and she was jabbering about something. I didn't know what she was talking about or anything. Captain MEDINA told the interpreter to tell her to go down the highway or some place down there and go towards--I don't know if it was Quang Ngai or what.

Q. You don't know what she was talking about?

A. No.

Q. That night you laagered in near a cemetery. Do you recall this?

A. Yes, right inside the cemetery.

Q. Did C/1/20 marry up, with Bravo Company?

A. Bravo Company was down across the rice paddy, sweeping way down across, and we were going through the villages and stuff.

Q. I am referring now, to the evening of the 16th. Did you marry up with Bravo Company?

A. I don't think we did.

Q. Is there anything that took place that evening that you can recall?

A. Well, I can remember that we--well, we saw some Vietnamese. Must have been 500 meters away or something like

that. I remember they took the machingun out there and tried to shoot at them, but they didn't get them.

Q. From the time you left My Lai (4), until you laagered in for the night was there any more shooting or burning of villages or huts?

A. I couldn't say for sure.

Q. On the evening of the 16th do you recall seeing any National Policemen there?

A. Yes.

Q. Do you know if the company had captured any suspected VC or NVA?

A. Yes, they had.

Q. Did you see the National Police interrogating the prisoners?

A. Yes.

Q. Did you see anything transpire, as to how they were treating them or anything else of this nature?

A. Well, they treated them pretty rough.

Q. Was there an American officer with them at this time?

A. Yes.

Q. Do you know who he was?

A. No, sir.

Q. Could you describe him?

A. No, sir, I couldn't.

Q. Did you see him do anything?

A. Well, I don't know if it was him, but I remember seeing somebody interrogating one guy. Well, I was standing there watching him and they cut one guy's ear or cut his neck or something and I remember seeing them chop one of his fingers off.

Q. Who was doing this?

A. I don't know.

Q. You don't recall who did the chopping or the cutting of the ear or neck, then?

A. No, sir. It was an American.

Q. Pardon.

A. It wasn't a National Police or anything.

Q. It was not the National Police?

A. No, it was an American.

Q. It was an American?

A. Yes, sir.

Q. Do you recall what rank he may have been?

A. No, sir.

Q. How close were you to the scene?

A. Between 5 and 10 feet.

Q. And you don't recall who it was?

A. No, sir.

Q. Had you seen him before?

A. No, sir.

Q. Do you know what happened to these prisoners after that?

A. Well, they were shot.

Q. They were shot?

A. I believe.

Q. Shot by whom?

A. I think it was by the National Police, but I can't say, because I know the National Police took them behind some trees and stuff, took them off a ways from where we were.

Q. At this time was it dark or light?

A. It was still light.

Q. Do you know approximately, how many of these prisoners were shot?

A. All but one of them.

Q. All but one. Well, how many is all?

A. I believe there was 10 of them there to start with.

Q. 10?

A. I think so, if I can remember. There was one that said he was something like a preacher or something like that.

Q. On the day of the 16th, now, do you recall if the company was visited by anybody from Task Force Barker, the brigade, or the division?

A. Well, yes, some officers came down.

Q. This was on the 16th, now?

A. Yes, sir, I believe.

Q. Was this in the morning or afternoon?

A. It was in the afternoon.

Q. In the afternoon?

A. Yes, sir.

Q. Where was the company located then? Was it just outside of My Lai (4), or were you near the laager area, or where?

A. It was closer to some village. It was nearer the laager area than it was to My Lai (4).

Q. Nearer to the laager area?

A. Yes, sir.

Q. Do you recall who this may have been?

A. No, sir.

Q. Could you describe what took place?

A. Well, we had taken a break about mid-afternoon, and along the way they picked up a bunch of prisoners.

Q. Who is "they"?

A. I don't know where they came from.

Q. The company had prisoners?

A. Yes. And we met up with a different unit. I believe it was from B Company from some other unit.

Q. B/4/3?

A. Yes, sir. And then we were right outside of some little village or some place and, well, we were standing there; we were taking a long break, and at that time they were interrogating those prisoners. I saw one. He was an officer, I know, the guy that was interrogating one and had a knife by his ear, up in here (pointing to his ear) and was trying to get stuff out of them. I remember he put his finger over a

piece of board and took a knife and chopped it off. }

Q. The American officer did this? }

A. Yes, sir.

Q. And you say that you don't recall who this officer was?

A. No, I don't, sir.

Q. What I was referring to prior to this chopper that came down when you were visited by somebody from Task Force Barker or the brigade or the division. I wanted you to relate what happened there. What could you recall about this particular chopper coming down? Would you describe the rank of the person or who he was?

A. I wouldn't know. He was either a major or a colonel.

Q. Major or a colonel, or a major or a lieutenant colonel?

A. Lieutenant colonel.

Q. You don't know who it was, then?

A. No, sir.

Q. What did they do; talk to Captain MEDINA, or what?

A. I can't say for sure.

Q. And you say this happened from the time you left My Lai (4) and before you got to the laager area for the night when their chopper landed? Is that correct?

A. Yes, sir.

Q. Did the chopper stay on the ground or did it take off?

A. Stayed on the ground, I believe.

(FLYNN)

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Q. Was it just one officer that got off?

A. I can't say.

Q. How far away were you from the chopper?

A. Maybe 50 meters.

Q. 50?

A. Yes, sir.

Q. You don't recall anything else?

A. No, sir. They brought in a bunch of National Police. I can't say if any of them came on that same chopper. I know they brought in a bunch but I can't say how many there were, either.

Q. This chopper that brought the major or lieutenant colonel in also brought some National Police in with them?

A. I can't remember if it was that same chopper or not.

Q. But you don't recall or recognize any officer from Task Force Barker, brigade, or division that may have landed at this time?

A. No, sir.

Q. Okay. We know that from other testimony that the company then moved down south to the river and then you more or less came back on up and that you were then extracted on the 18th of March. Do you recall this?

A. I think I do.

Q. Do you know where you were extracted to? Did you go back to Dottie?

A. I can't say for sure, sir.

Q. Before you left did Captain MEDINA or anybody else have a talk with you about what occurred at My Lai (4)?

A. No, sir.

Q. Nobody told you anything about it?

A. I don't remember if it was out there that I was told or not, but Captain MEDINA told us that they were having a brigade investigation.

Q. Going to have a brigade investigation?

A. Something like that. An investigation about what happened and he told us not to say anything about what happened and that he was the only one that should talk about it.

Q. He was what?

A. I believe he said he would talk about it.

Q. He would talk about it but for the rest of you not to talk about it?

A. Yes, sir.

Q. Did he indicated that in the event you were questioned by someone that you were --

A. (Interposing) Yes, sir.

Q. How did you understand this? What was your interpretation of what he told you? Let's say that if the investigating officer or some officer came to you and ask you what transpired, what was your understanding? What were you to say?

A. I can't remember, sir.

Q. Was it your impression, then, that you were not to say anything or --

A. (Interposing) Yes, sir.

Q. Only that Captain MEDINA himself was to do the talking?

A. Yes, sir.

Q. Now do you recall if this happened before you were

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extracted from there or after?

A. I can't say, sir.

Q. When you arrived--indications are that you arrived back at LZ Dottie, was your chopper met by any officer there?

A. I can't remember, sir.

Q. You can't recall if any officer talked to you and asked you what actions took place at My Lai (4)?

A. Nobody asked me about it.

Q. You don't recall any officers meeting you out at the pad and questioning anybody as to what they saw at My Lai (4) or what happened there?

A. No, sir.

Q. This briefing that Captain MEDINA gave you, you don't know if it took place prior to your being extracted on the 18th or if it took place at LZ Dottie after you arrived there?

A. I can't recall, sir.

Q. Your understanding then, was that you were not to discuss this with anyone?

A. Yes, sir.

Q. Let me just ask you then, assuming that you were questioned by some officer about what took place at My Lai (4), what would your answer have been?

A. Well, I don't know what I would have said.

Q. Well, what was your understanding? This is what I'm trying to draw out of you?

A. I probably would have just answered questions. I wouldn't have come out and said, you know....

Q. You wouldn't have told them what took place there

in My Lai (4)?

A. Well, if I would have had to answer questions but I wouldn't come out and tell them.

Q. In other words, you would have answered the questions if they were asked of you, but you wouldn't have volunteered? Is this correct?

A. Yes.

Q. I'm going to ask you a number of general questions. A lot these are strictly opinion type questions and it will actually call for your opinion. What kind of an officer was Captain MEDINA?

A. He was pretty strict. }

Q. Strict? }

A. Yes, sir. Well, I thought he knew his job real well and everything. }

Q. We have heard this from a number of witnesses who indicated the same thing. He was strict, but yet, he knew his job quite well. Anything else that you can relate about Captain MEDINA?

A. No, not really.

Q. Would you say that he had control of the company during My Lai (4)?

A. Yes, I think he did.

Q. If he had control of the company, then what would you say was the reason why so many women and children were killed?

A. Well, they were told the night before to shoot them all. And I don't think there was any attempt to stop that until around noon someplace. } (R)

Q. Did you hear anything at all about any killings that may have taken place down in Co Lay (2)? I am now

referring to that of B Company's operations?

A. No.

Q. We had some testimony where some people thought something occurred down in B Company's area of operation or perhaps that when the companies got together, some information may have been exchanged between the personnel and so forth, but you didn't hear anything?

A. No, sir.

Q. Now, this incident was not reported to the Department of the Army until sometime ago and it was not known to the public for sometime. Could you give a reason why it was not reported before this?

A. Well, probably everybody wanted to forget about it, I would think.

Q. What was the attitude of the men when they arrived back at LZ Dottie after this operation? Did they talk about it? Was there a discussion of any type?

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

Q. In other words, did you talk to anybody about it after you got back?

A. No.

Q. The subject was just dropped completely?

A. Well, guys talked about it, yes, but --

Q. (Interposing) Well, that's what I was referring to. What was discussed, basically? Do you recall?

A. I can't say for sure, sir.

Q. To your knowledge was there an investigation of My Lai (4)?

A. You mean brigade investigation?

(FLYNN)

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Q. Any type of investigation?

A. Right after it happened? The only thing I heard about it was when Captain MEDINA told us not to say anything about it at all and that's all I heard about it until this here came up.

Q. Again, this investigation that Captain MEDINA was referring to, did you say he mentioned that this was a brigade investigation being conducted?

A. Yes, sir.

Q. Were you questioned by anyone?

A. No, I wasn't.

Q. Other than what Captain MEDINA told you, not to talk about it, did anybody else tell you to keep quiet about it?

A. No, sir.

Q. What was the attitude of the men in C Company toward the Vietnamese personnel?

A. It was a pretty shrewd attitude.

Q. What do you mean?

A. You mean how they liked them?

Q. Yes.

A. They didn't.

Q. They didn't like them?

A. No, sir.

Q. Would you elaborate on that a little bit? This is an opinion, I realize.

A. Well, they just didn't like them.

Q. Well, do you recall any discussions or actions

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toward the Vietnamese personnel?

A. Well, they were pretty rough on them.

Q. In what way?

A. Well, I just know there was a lot of raping going on in the village when they went out and stuff like that. I can recall that in that one down in Pinkville, I believe it was, we captured this one officer and nurse and one other guy, I believe it was, and they picked on him quite a bit.

Q. Was this on the day following the My Lai operation, the 17th, or was this another operation that you are talking about?

A. No, it was the same operation.

Q. What do you mean they picked on them?

A. Well, they put cigarette butts in the elastic of their pants and stuff like that and the Vietnamese had their hands tied.

Q. Who was doing this?

A. Well, I couldn't say for sure.

Q. You say you saw them put cigarette butts in the rubber by their trousers?

A. Yes, sir.

Q. You mentioned a rape a while ago. Was there any raping done at My Lai (4)?

A. I don't think so; not that I heard of anyway.

Q. But you did hear of rapes prior to this?

A. Oh, yes.

Q. Did you see any rapes?

A. No.

Q. Just talk among the men?

A. Yes.

Q. Do you know who was talking about it?

A. No, not really.

Q. So in other words, you don't know who was doing the raping or anything else; that it was just talk among the men?

A. Yes, sir.

Q. In other words, one GI wouldn't tell another that he raped somebody?

A. No, sir.

Q. But just the talk that rapes were taking place?

A. Yes, sir.

Q. Do you know if this was reported at all to Captain MEDINA at anytime, about the rapes?

A. I don't believe so, sir.

Q. What was his feelings about rapes?

A. Well, I wouldn't really know.

Q. Why do you think, in your opinion, the shootings and so forth and everything that transpired in My Lai (4) actually occurred?

A. Why they did?

Q. Yes.

A. Well, we were told that they had received information that it was a VC village.

Q. And?

A. Well, I guess they had guys lost in there quite a bit, and this Sergeant COX I know, I think it was that village, he was around there and around Pinkville, and he got killed there and there was some pretty popular people in our company that were killed that night. Probably just feelings about that area. } ⑧

Q. In other words, the information that you had received, that this was a VC or NVA area? } ⑨

A. Yes, sir.

Q. The fact that some of the men had been killed prior to this time?

A. Well, I wouldn't say that's why it took place or anything but it would be easier for the men to do it then, I would think.

Q. In your opinion, why do you think it happened?

A. We were ordered to do it. }

Q. Pardon?

A. We were ordered to do it. }

Q. Again, this is based on the order that Captain MEDINA gave you, that women, children, cows, chickens, and pigs and so forth were to be killed? }

A. Yes.

Q. You definitely did hear Captain MEDINA say that, especially about the women and children to be killed? }

A. Yes.

Q. If I recall, I asked you this question previously; this was a question that was asked him.

A. I believe it was, the night before we went on the assault.

Q. The night of the 15th at the briefing, then?

A. Yes.

Q. You think somebody did ask him -- about women and children?

A. I think so.

Q. If this included women and children? You think it was asked, and his reply was, yes it did include them?

A. Yes. He just said everything and in the briefing he said men, women, and children.

Q. Did he indicate where he got his orders from or were his orders from his superiors?

A. Well, he said it come down from intelligence that it was a VC village and who were we to question it?

Q. What did you think about this when the question was asked, did this include women and children? What was your feeling about this?

A. Well, we felt it was a complete VC village. They were holding up enemy in there.

Q. Just because this was supposed to be a VC village do you think that the women and children should have been killed?

A. Well, the way I looked at it we were ordered to do it.

Q. Well, you mentioned that you don't recall receiving any fire. These people that you saw laying dead, women and children, were they armed?

A. No, not unless somebody got the weapons from them before we got there.

Q. In other words then, the fact that women and children were killed really didn't phase you that much, then?

A. No, not really.

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Q. In other words, your feeling was this is a VC village and these were VC women and children in that village?

A. Yes, sir.

Q. The newspapers have indicated to some extent that there may have been a marijuana problem in the company, or another name for marijuana would be that of pot. What is your opinion of this? Was there a problem?

A. Well, the biggest percentage didn't smoke it that I could see.

Q. You say the biggest percentage didn't smoke it?

A. I don't think so.

Q. From your observations of the 16th, would you say that anybody was under the influence of marijuana?

A. No.

Q. Did you observe at any time anyone being under the influence of marijuana?

A. You mean that day?

Q. Yes.

A. That day, no.

Q. Getting back to My Lai (4), you mentioned that Colonel BARKER was flying over the area and he was communicating with Captain MEDINA. What was the altitude of this plane? Was he high, was he low, or what? Do you recall?

A. He wasn't really high and, well, he wasn't really low either.

Q. Do you recall him making any low passes over the village?

A. I believe it was him that did.

Q. But you're not sure, then?

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A. No, sir.

Q. You don't recall whether a chopper may have come in low and then a radio transmission from the chopper to Captain MEDINA?

A. No.

Q. Mr. FLYNN, I have asked you a number of questions. Is there anything else that you can recall from My Lai (4) or anything that we haven't discussed and comes to mind?

A. No, I don't believe so.

Q. Okay, the hearing will recess.

(The hearing recessed at 1455 hours, 11 February 1970.)

(The hearing reconvened at 1505 hours, 11 February 1970.)

MAJ ZYCHOWSKI: The hearing will come to order. MAJ ZYCHOWSKI is present.

Mr. FLYNN, this portion of the interview will be dealing with the aerial photograph on which we'll try to plot the route that you took through the village of My Lai (4). I will have you look at some photographs and see if you can identify or recognize anything on these photographs and possibly plot them on this map, before you is the aerial photograph of My Lai (4) and its surrounding area. Going back to the 16th of March, 1968, would you indicated on this map the approximate area of the LZ?

A. Right back here.

Q. If I recall from your previous testimony, you mentioned you got out of the helicopter and you scattered throughout the area. When you landed, I assume then, that the other platoons were already going into the village? Is that correct?

A. Yes, sir.

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Q. How long did you stay out here in the LZ before you proceeded to My Lai (4)?

A. About 5 to 10 minutes.

Q. And you were with Captain MEDINA and the command group?

A. Yes, sir.

Q. From the LZ would you indicated the route that you took?

A. Well, we come right up in here and we started coming down the trail.

Q. You went into about the center and you went in a southerly direction on the western portion of the village? Is that correct?

A. Yes, sir. We took this trail up to here.

Q. Prior to getting to the north-south trail did you state you went some place here to look for some weapons?

A. Yes, sir. While we were on our way up there we got a call from one of the choppers. There was a "gook" with a weapon over here. The whole command group, all the platoons were up ahead, so the command group told us to come down here to see if we could find those weapons. We didn't find any, so it was over here beyond the rice paddy. There was a girl lying down with a basket, and Captain MEDINA looked over there --

Q. (Interposing) Point 1 would be the approximate area where Mr. FLYNN and the command group went and attempted to find the weapons that were reported to them by the helicopter pilot. Is that correct?

A. Yes, sir.

Q. Also this is the same area where you saw Captain MEDINA shoot this girl. Is that correct?

A. Yes, sir.

Q. You stated this in your previous testimony?

A. Yes.

Q. This is where you looked for the weapons but you did not find the weapons. Is that correct?

A. Yes, sir.

Q. Did you find any bodies in this area?

A. Yes, sir.

Q. How many bodies were there?

A. There weren't very many.

Q. I'm referring down here where point 1 is.

A. Well, I'd say that at least four down in there.

Q. Four down in here?

A. Yes, sir.

Q. But you did not find the weapons?

A. No, sir.

Q. Point 1, this area was marked by the chopper pilots with smoke?

A. Yes.

Q. Was there any communication with the pilots and Captain MEDINA while you were at this area?

A. Well, yes, sir. We were trying to find out where they had seen those weapons and we couldn't find them at all.

Q. This information then, was passed on to the chopper pilots?

A. Yes, sir.

Q. Did you hear any transmissions coming back from