

PLACE Fort Leavenworth, California	DATE 14 Feb 68	TIME 1005 hours	FILE NUMBER 70-610011-00007
LAST NAME, FIRST NAME, MIDDLE NAME STANTZ, Henry (H-Norbert, Jr., 1931)	SOCIAL SECURITY ACCOUNT NO.		GRADE Captain
ORGANIZATION OR ADDRESS			

PART I - WAIVER CERTIFICATE

I HAVE BEEN INFORMED BY WILLIAM D. KAS
OF 1st CIB, Washington, D. C.
THAT HE WANTS TO QUESTION ME ABOUT THE ACTS OF THE TOWNS OF MY, DESIGN, IN VIETNAM
OF WHICH I AM INDIVIDUALLY SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.
I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE
USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.
I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT
WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR
ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL
MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.
I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT,
I MAY STOP ANSWERING QUESTIONS AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.
I (DO) (DO NOT) WANT COUNSEL.
I (DO) (DO NOT) WANT TO MAKE A STATEMENT AND
ANSWER QUESTIONS.

INTERROGATOR: WILLIAM D. KAS
(Signature)WITNESS: WILLIAM D. KAS
(Signature)

WILLIAM D. KAS, Criminal Investigator

WILLIAM D. KAS, Criminal Investigator

(Typed Name and Organization)

(Typed Name and Organization)

PART II - SWORN STATEMENT

I, STANTZ, Henry
WANT TO MAKE THE FOLLOWING STATEMENT UNDER

I joined the Army on 9 June 1967 and took basic training at Ft Campbell, Kentucky. I was then assigned to Company C, 1st Battalion, 20th Infantry, 11th Infantry Brigade, at Schofield Barracks, Hawaii, for advanced individual training. I remained in Hawaii until about 5 December 1967 when the Brigade moved to South Vietnam. I was in the 1st Squad, 1st Platoon, Company C, 1/20th Infantry. After we had been in Vietnam for about a week, 1st CIB was assigned to the unit as Platoon Leader, 1st Platoon. Shortly thereafter, Sgt MITCHELL was assigned as my Squad Leader. Sgt CHAM was the Platoon Sergeant, 1st Platoon. When we got to Vietnam, I was assigned as a rifleman, but after our first mission, I was given an M-79 and assigned as a grenadier. This was my basic job through the My Lai (4) mission.

During March 1968, my company took part in an operation around My Lai (4) in the Republic of Vietnam. I don't recall the date, but I am sure the month was March.

The day before the attack, I attended a company briefing which was conducted by Captain LEBLANC. This briefing was attended by all of the Platoon Leaders and Platoon Sergeants and by most of the men in the company. Captain LEBLANC told us that the intelligence had established that My Lai (4) was completely enemy controlled. He described the formations we were to use the following day and told us to carry extra ammunition. He ordered us to "kill everything in the village." The men

EXHIBIT **D**INITIALS OF PERSON MAKING STATEMENT
W D K

PAGE 1 OF 12 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE
BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE
INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LIN-
ED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2820
OCT 67

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In my squad talked about this among ourselves that night because the order to kill everything in the village was so unusual. We all agreed that Captain STANLEY meant for us to kill every man, woman, and child in the village. This was the only briefing. The following morning the Platoon Leaders and Platoon Sergeants got us in order for the helicopters, but did not brief us as such.

We boarded choppers and were flown to Mt Lai (4), arriving at about 0730 or 0800 hours. There were gunships and they were firing when we arrived. The door-runners on the troop carriers were firing also. I saw no evidence of fire from the ground. I saw the rounds from the choppers striking in the village and in the tree-line. I saw no one killed as a result of this fire. The troop carriers started firing as we landed, but the gunships continued to fire at targets in and around the village for about 30 minutes. They quit about the same time that all of Company C, 1/20th Infantry arrived. I saw no one killed as a result of the fire from the helicopters.

I do not recall seeing any artillery fire on or around the village.

I was in the first platoon. The squads of the 1st Platoon formed on a line and moved into Mt Lai (4). There was "on-line fire," which means that almost everyone armed with an M-16 was walking and shooting at the same time. Some old men, women, and children were running from the village as we approached, fleeing from us, but we received no fire from the village and I saw no signs of resistance. Before we actually entered the village, I saw an old man with a water buffalo in the paddy. He was wearing a straw coolie hat and no shirt. He was about 50 meters from me. The old man put his hands up in the air and then a lot of people from the 1st and 2d Platoons fired on him at close range and he was killed.

Q. Did any officer or Non-Commissioned Officer see the man killed?

A. Lt CHADLEY was there and must have seen it. Sgt MITCHELL was there and was, himself, shooting at the man also. I was just behind Sgt MITCHELL at this time — about 10 feet behind him — and Lt CHADLEY was within 30 feet of me at this time.

Q. What happened then?

A. We pushed on into the village then. When we got into the village, almost all of the men from Company C, 1/20th Infantry, killed everyone they saw, including old men, women, children, and babies.

Q. Do you recall any specific instances in which civilians were wantonly killed or wounded by U.S. forces personnel?

A. Shortly after we went into the village, Allen BOYCE — a member of the 1st Squad, 1st Platoon — came up from behind me with a man about 40-50 years of age. BOYCE had taken this civilian into custody. This man was wearing pajamas, black in color, and his shirt was either open or had been removed. I remember seeing his chest. BOYCE pushed the man up to where we were standing and then stabbed the man in the back with his bayonet, which was mounted on BOYCE's rifle. The man fell to the ground and was gasping for breath and then BOYCE killed him, either with another bayonet thrust or by shooting him with the rifle. (There were so many people killed that day it is hard for me to recall exactly how some of the people died.) As I recall, LAFLEY, SLEDGE, and Sgt MITCHELL were present when this happened and must have seen this.

Page 2 of 4 Pages

EXHIBIT D

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Q. What happened then?

A. Right away, BOYCE turned to where some soldiers were holding another 40-50 year old man in custody. BOYCE picked this man up and threw him down a well. Then BOYCE pulled the pin from an M-26 grenade and threw it in after the man. The grenade exploded and I am sure the old man was killed. MITCHELL said, "That BOYCE has gone crazy," or words to that effect. MITCHELL and SLEDGE had to have seen this also, and I think Roy MOON may have seen this, too.

Q. Where did these two incidents take place?

A. This was at a well just off the main trail through the village and about middle way through the village. I can't think of any other landmark which would help pin down the location. BOYCE is white, was then about 19 years of age, and was about five feet nine inches in height. He weighed about 160 pounds. He was an M-16 rifleman. Later that day at the far side of the village I saw BOYCE with MITCHELL and others. They were with Lt GILLEY. Lt GILLEY had forced about 75 people into a ditch and ordered MITCHELL and BOYCE and some others to fire into the people. BOYCE, MITCHELL, and the others did fire into the people, killing or wounding them all.

Q. What happened next?

A. Then we continued through the village and everyone with M-16's was shooting people, chickens, cows, pigs, and everything living. I saw Sgt MITCHELL kill several pigs by shooting them in the sides so he could wound them rather than kill them at once. He seemed to enjoy watching them die. In My Lai (4) I was with Sgt MITCHELL when an old woman ran out of a hut. She saw us and ran back inside. MITCHELL pulled the pin from an M-26 grenade and threw it into the hut after the old woman. The grenade exploded and I heard people and children crying in the hut. I considered this unnecessary. This took place near where BOYCE threw the man in the well.

Q. Then what happened?

A. I saw some old women and some little children -- fifteen or twenty of them -- in a group around a temple where some incense was burning. They were kneeling and crying and praying and various soldiers from Company C, 1/20th Infantry, walked by and executed these women and children by shooting them in the head with their rifles. The soldiers killed all 15 or 20 of them, but I can't identify any particular American by name who did this. This happened at a temple near a trail junction in the middle of My Lai (4). I know Sgt MITCHELL saw this. Sgt BAKER may have seen it, but I can't say for sure.

Q. What happened then?

A. We moved on into the village and waited for a radio call or something from the Captain to the Lieutenant. While we were holding up, some men from the 2d Platoon, Company C, 1/20th Infantry, came up with some women and girls and little children they had taken into custody. Charles WEST was in charge. He was with Gerald SMITH and others in WEST's squad. (WEST and SMITH are both Negro.) LANEY may have been with them. (LANEY is also a Negro.) CAMERON was with me and I know he saw what happened next. WEST, SMITH, and the others were opening the girls' blouses and trying to play with their breasts and the girls were trying to cover up. An old woman came between the soldiers and the girls trying to help the girls. There were two PIO men there, too, one with a camera and he took some

Statement of Mr Harry STANLEY, taken at Ft MacArthur, Cal., dated 14 Oct 69

photographs. Then WEST said, "Let's waste them," and WEST and SHAW and the others with WEST fired automatic rifle fire from their M-16's into the group, killing all of them except one child of about four or five years of age, who was left standing. Then someone shot and killed this child. There were about six women and girls and three or four children. I do not recall whether or not any officer or non-commissioned officer saw this incident. This was near where CARTER shot himself and took place before CARTER shot himself.

Q. What happened then?

A. We moved on up a trail and were holding back waiting for the Commanding Officer to come up and I saw WILLIAMS come down a trail. WILLIAMS was one of Captain WILLIAMS' radio operators, but he wasn't wearing any radio equipment when I saw him. There was a four or five year old Vietnamese boy on the trail. He had been wounded in the stomach and was crying. WILLIAMS said to CARTER, "Let me see your pistol," and CARTER handed WILLIAMS his issue caliber .45 pistol. WILLIAMS stepped to within two feet of the boy and shot him through the neck with the pistol. Blood gushed out of the boy's neck and he tried to walk off but could only make two or three steps and then he fell onto the ground. He lay there and took four or five deep breaths and then he stopped breathing. WILLIAMS said, "Did you see how I shot that son of a bitch," and I said, "I can't see how anyone can just kill a kid." CARTER saw this shooting, but I can't recall anyone else witnessing it. Then CARTER got his pistol back and sat down. WILLIAMS walked off. I sat down where the two trails meet, facing away from where CARTER was sitting. CARTER was quite neurotic about the killing and said, "I can't take this no more," and then I heard the gun go off and CARTER yelled. I went to CARTER and saw he had shot himself in the foot. I believe that CARTER was in such an emotional state that he was capable of shooting himself on purpose. I called "Medic! Medic!" and then cut CARTER's boot and sock off and was ready to put on a bandage when a medic came and I turned the job over to him. Captain MEDINA came up then with the Headquarters element and watched while they evacuated CARTER.

Q. Did Captain MEDINA see any of the killing that was going on in My Lai(4)?

A. He must have seen it because of the number of bodies around.

Q. What happened then?

A. Then the 1st Platoon backtracked into the village and Lt CALLEY sent someone to get me so I could interpret for him. I went to Lt CALLEY and found him on the far side of My Lai(4). GRZESK was there as were ROYCE, LEBRO, BURSIC, Sgt MITCHELL, REPPES, SIEGEL, SIMONE and some others. I believe LAWRENCE was there and think Roy WOOD, John WOOD (deceased) and a friend of CALLEY who was also killed later were there. Lt CALLEY had approximately 75 Vietnamese in a group guarded by members of Company C, 1/20th Infantry. In the group were old men, some women, and some children. There were more women and children than men. There was an old lady on a bed -- she had been sick but she had been wounded, too, I believe -- and there was a priest in white praying over her. GRZESK was there interpreting, but he couldn't get anything from them. Lt CALLEY told me to ask about the NVA and where the weapons were. The priest denied being in the NVA or VC and then Lt CALLEY pulled the priest a few feet away from me and shot him with LEBRO's M-16 rifle. He shot the priest

EXHIBIT D

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Statement of Mr Harry SHIMLEY, taken at Ft MacArthur, Cal., 14 October 1969

in the head or upper body. The old woman got up then and someone shot her, too.

Q. Then what happened?

A. Then Lt CALLEY issued the order, "Push those people into the ditch!" and the soldiers at the scene pushed the Vietnamese into the ditch. I know BOYCE, LAWRENCE, LEBLO, and Lt CALLEY pushed people into the ditch. As I recall, Lt CALLEY hit one of the women on the head with a rifle while pushing them into the ditch. Lt CALLEY said, "Hurry, load your machinegun and shoot these people." LEBLO said, "I'm not going to do that." Then Lt CALLEY, LEBLO and BOYCE fired into the people with M-16's on automatic fire. I know they fired. I believe SHIMLEY, BARTON, LAWRENCE and perhaps Sgt MITCHELL fired into the people also. I don't remember anyone else firing into the people in the ditch. The people in the ditch kept trying to get out and some of them made it to the top, but before they could get away they were shot too. The people firing into the ditch kept re-loading magazines into their rifles and kept firing into the ditch and then killed or at least shot everyone in the ditch.

Q. Did you see anyone in the ditch who was wounded in such a manner that he must have died?

A. Yes. There were a lot of people in the ditch with their heads blown open who must have been killed by Lt CALLEY, LEBLO, BOYCE, and the others. There had not been anyone in the ditch before Lt CALLEY forced these people into the ditch and the only cause of death among these people was the rifle fire of the U.S. Forces personnel.

Q. And then what happened?

A. Then we moved on out to the other side of the paddy and set up a perimeter.

Q. Did you go back into Kglai(4) for any reason?

A. Yes. Sgt MITCHELL and our entire squad went back into the village to set up a blocking force while the 3rd Platoon burned the village.

Q. Did you see Sgt MITCHELL shoot anyone in the ditch?

A. He was there, but I can't say whether he fired or not; he may have.

Q. Did you see an H-23 helicopter land?

A. Yes. This was after the shooting in the ditch. Our squad was moving across the paddy and it landed in the paddy we were crossing. They put an old man or an old woman into the chopper. I only saw it once that I remember. Lt CALLEY talked with the pilot, but I don't know what was said.

Q. Did you shoot anyone in Kglai(4)?

A. No I did not. I was armed with an M-79 grenade launcher and high explosive rounds. I had four M-26 grenades. I did not fire any weapon and I did not throw any grenades. I am friendly to the Vietnamese and taught myself some of their language and did not believe in killing innocent women and children. In other actions where there was combat, I did my share, but Kglai(4) was not combat.

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Statement of Mr. Harry STANLEY, taken at Ft. Leavenworth, Kan., 14 October 1969

Q. Did you see an old man taken out of a hut and shot?
A. Shot in the head. I remember someone had an old man and shot him, right in front of me, but I don't recall who had him or who shot him.

Q. I show you a unit roster of Company C, 1/20th Infantry. Will you comment on any of the names there.

A. Yes. I've told you everything I know about MITCHELL.

Concerning Billy CARMY. When we first went into the village, Billy CARMY shot at a running Vietnamese five times before he hit the person. When HEADLO and CARMY went to the body, they discovered it was a woman and that she was carrying land titles, deeds, and similar documents in a flare launcher tube. The documents were given to Lt CALLEY. I consider this shooting justified because CARMY could not tell that the person was a woman and the flare launcher looked like ordnance from a distance.

Concerning CARTER: Before we went to My Lai (4), CARTER cut a Vietnamese girl's hair off and made a decoration for his helmet with it. At My Lai (4) I did not see him shoot anyone. At My Lai (5) or (6) he captured an NVA or VC nurse. When I first saw him, he had knuckled her out and was carrying her over his shoulder. He had removed her blouse and her breasts were exposed. He told me he had intended to have sexual intercourse with the girl, but she had been too dirty. I don't know what happened to the nurse. I think she was taken out in a helicopter.

Concerning CARTER and Lt CALLEY -- something I didn't tell you before: That is, at Landing Zone Uptight, before My Lai (4) ever happened, we were on a Platoon patrol with 1st Platoon, Company C, 1/20th Infantry. Lt CALLEY was there. CARTER and I were there. BLESSER, Roy MOSE, CARMY, and Sgt MITCHELL were there. GRZSIC was acting as interpreter for Lt CALLEY. They had taken an old man into custody for questioning. CARTER was standing with Lt CALLEY and I was within 10 feet at the time of the incident. Lt CALLEY asked some questions and then CARTER hit the old man in the mouth twice with his fist. Then CARTER pushed the old man into a well, but the old man spread his legs and arms and held on and didn't fall into the well. Then CARTER hit the old man in his stomach with his rifle stock. The old man's feet fell into the well, but he continued to hold on with his hands. CARTER hit the man's fingers, trying to make him fall into the well and then Lt CALLEY shot the man with his M-16. I was within 10 feet, but couldn't see into the well from where I was standing and so I don't know what effect the bullets had, but the man fell into the well and I believe he was killed.

Concerning MAREY: I heard that MAREY killed a lot of people in My Lai (4) and believe that he and WEST and Gerald SMITH were in a contest to see who could kill the most people.

Concerning SERONE: I believe he was shooting people in the ditch with Lt CALLEY, HEADLO, BOYCE, and others. He was on my left when I went into My Lai (4) and he was shooting everything and every Vietnamese he saw.

Concerning HEADLO: I have seen him beat up on Vietnamese on numerous occasions before My Lai (4).

Q. During the action in My Lai (4) was any word passed to stop killing civilians?
A. Not to my knowledge.

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Q. Other than when STANLEY was evacuated by helicopter, did you see Captain MEDINA in My Lai (4)?

A. No.

Q. Did you see Sgt PHU in My Lai (4)?

A. He was with Captain MEDINA. I didn't see him doing anything significant.

Q. Did you see the Vietnamese National Police at My Lai (4) or in the vicinity of that village?

A. Yes, not in My Lai (4), but later at a nearby village I saw them beating a man. This was in our CP area after we set up our perimeter for the night.

Q. Was there an investigation of the incident at My Lai (4)?

A. Yes, when we got back to LZ Bottle, some Colonels asked each of us if there had been any unnecessary killing at My Lai (4). I answered that I hadn't see any unnecessary killing. Everyone else said the same thing. I don't know who these colonels were.

Q. Would you be willing to testify in a court martial or other court of law?

A. Yes I would.

Q. Now that you have read your statement, is there anything you would like to add to the statement or anything you wish deleted from the statement?

A. Yes, I would like to state that in my opinion there were at least two hundred and twenty-five people killed by Company C, 1/20th Infantry, in My Lai (4).

Q. Do you have anything else to add to this statement or to delete from this statement at this time?

A. I want the statement to stand the way it is.

W.A.

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AFFIDAVIT

I, Harry Stanley

STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 8. I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

Donald S. Walsh
 DONALD S. WALSH, Criminal Investigator
 Det 9, 6th MI Gp, Ft MacArthur, Cal.
 ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

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(PLACE OF STATEMENT MAKING STATEMENT)

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law
 to administer oaths, this 15th day of October, 1969
 at Ft MacArthur, California

(Signature of Person Administering Oath)

REIS R. BACH, Criminal Investigator

(Typed Name of Person Administering Oath)

Art 126(b)(4) UCMJ, 1969

(Authority To Administer Oaths)

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PAGE 2 OF 2 PAGES