

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of The Provost Marshal General.

70-CID011-00013

PLACE Saigon, Republic of Vietnam	DATE 24 Dec 69	TIME 1440	FILE NUMBER [REDACTED]
LAST NAME, FIRST NAME, MIDDLE NAME WELLS, Coy Lee	SOCIAL SECURITY ACCOUNT NO.		GRADE CW2
ORGANIZATION OR ADDRESS Det D, 8th MP Group (CI), APO SF 96243			

SWORN STATEMENT

I, _____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

INVESTIGATOR'S STATEMENT

CLW On 24 December 1969, at 1115 hours, SSG Kenneth Larry HODGES, B Co, 5th/60th Inf, 3rd Bde, 9th Inf Div, APO SF 96371, appeared at this office for interview, per my request. After furnishing personal data it was decided to have a break for lunch. After lunch, at 1145 hours, we returned to the office and in the presence of PFC John T. SAPARA, a clerk assigned to this office, I advised HODGES that he was suspected of the destruction of inhabitants, animals, crops, and buildings at My Lai (4) on 16 Mar 68, and that he was further suspected of the rape of one unidentified Vietnamese female in a sub-hamlet of My Lai (4) on that same day. I explained his rights to counsel, retained or appointed, his right to silence, to have counsel present during interview and that he could halt the interview at any time to seek or consult counsel. HODGES stated that he understood his rights, and that while he did not desire to seek counsel at this time, he also did not desire to execute a waiver certificate. HODGES agreed to discuss the matter under investigation verbally without the benefit of counsel. He then furnished the following information concerning his knowledge of the military operation conducted by Co C, 1/20 Inf, 11th Lt Inf Bde, Americal Div on 16 Mar 68 - commonly referred to as the Pinkville Operation.

He was assigned to the 2nd Platoon of that Co as Squad Leader for the 1st Sq. During the briefing by the Company Commander, CPT MEDINA, they were told that they could expect the area to be heavily mined and booby trapped, that there were no friendlies in the area, that they had all been warned and had left the area. Everyone encountered would either be a VC or a VC sympathizer and would either be carrying a weapon or equipment. He did not hear any mention of destruction of the village or inhabitants. They were told that they were to clear the area of any VC. He cannot recall whether it was to be a "search and clear" or a "search and destroy" mission and does not recall if those words were used at all. In the subsequent briefing by his Platoon Leader, Lt BROOKS (whom he read in the paper in late July 69 as having been killed in action sometime prior to Jul 69) and by the Platoon Sergeant, SGT BUCHANAN, they were told only to take enough supplies and ammo to last the full day until they could be re-supplied at the bivouac that night. He was not instructed to take extra ammo. He did not have the impression that they were going to take any revenge on this village and said that they had not been in action against this village before, although they had been engaged in firefights in the same general area.

His platoon was in the first lift and arrived in the area while the artillery was still in progress and could see the impacting rounds about fifty meters to the NE of the hamlet of My Lai (4). The artillery ceased and the gun ships made their passes, then the slicks carrying the troops set down. The 1st Platoon was also on CLW

EXHIBIT 7	INITIALS OF PERSON MAKING STATEMENT CLW	PAGE 1 OF _____ PAGES
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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 LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823
1 JAN 68

"STATEMENT OF COY L. WELLS TAKEN AT SAIGON RVN DATED 24 DEC 69 CONTINUED."

CLW the first lift. They formed on line with the 1st platoon after landing. The 2nd platoon was on the north end of the line as it faced and moved to the east toward the hamlet about 200 meters away. His Squad was on the northern end of the line. As they approached the hamlet, his squad was sent to a sub-hamlet about 200 meters to the NW of My Lai (4), and searched it for VC, tunnels or weapons. They found no VC or equipment there, the 30 or so inhabitants had gathered themselves together near the center of the clump of houses and they were not killed but left there. He and his squad then moved through the northern most edge of My Lai (4), penetrating only about 25 or 30 meters into the hamlet. They swept to the east and encountered about 7 houses. Some of these houses were set afire by his squad but he doesn't know the identity of anyone that set fires. He saw no member of his squad shooting at any of the inhabitants and except for one male who ran and failed to stop and whom he fired at from a distance he did not shoot anyone. He also saw unidentified members of his squad throw dead animals into wells, but did not see them kill any animals. Further he does not recall being instructed to kill animals and pollute wells. His squad received no fire and except for single rounds fired into bunkers or tunnels, he saw no member of his squad fire any shots. Just prior to taking a lunch break he heard a cease fire order being passed down - about then all firing stopped. He continued the sweep until all houses in his AO were searched. They took no captives, nor did they kill any. He did encounter about 30 bodies of men, women and a few children who he thought to have been killed either by artillery or by rockets or mini guns from the gun ships.

After the lunch break, the sweep was resumed and his squad moved on to My Lai (5) and My Lai (6). He did not go back into My Lai (4) since the 3rd platoon which landed in the 2nd lift had come in and were covering the rear, moving toward his platoon.

He saw Lt BROOKS and SGT BUCHANAN throughout the operation. Saw CPT MEDINA once, very briefly from a distance in My Lai (4). He did not see LT CALLEY after LZ Dottie until later that night.

Other members of his squad were BUNNING, whom he thinks also fired at the running man at a distance with him, BROUSSARD, McERREEN and TRIVINO. DELGADO was in a different squad, BROWN was either in or near his squad. TORRES was a member of his squad but he thinks TRIVINO joined him the following day.

He did not see anyone killing unarmed civilians nor did he know of any such actions. After the operation was over, he heard people discussing the fact that many people had been killed in the operation. He heard that MEADLO had made some statement to the effect that they had "done wrong" after MEADLO has lost his foot following day. He never considered that crimes had occurred but is of the opinion now that they could have.

He did not see any ditch with bodies, nor did he see a helicopter land.

HODGES declined to answer questions about whether he observed any rapes in the sub-hamlet NW of My Lai (4) and refused comment on whether or not he had raped anyone. He also refused to make any comment when informed that a member of his squad had alleged that he raped a Vietnamese female in that sub-hamlet.

HODGES declined to reduce his comments to the form of a written statement.
End of statement. CLW

EXHIBIT _____ INITIALS CLW

PAGE 2 of 3 PAGES.

EXHIBIT 72

70-CID011-04013

STATEMENT (Continued)

CLW

AFFIDAVIT

I, COY L WELLS CLW HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE 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:

John T. Sapara
PFC JOHN T. SAPARA

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

EXHIBIT Z2

INITIALS OF PERSON MAKING STATEMENT

CLW

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21st day of DEC, 19 69 at Saigon, Republic of Vietnam

Paul W. Jones
 (Signature of Person Administering Oath)

PAUL W. JONES
 Crim Inves
 (Typed Name of Person Administering Oath)

ART 126 (b)(4) UCMJ 1969
 (Authority To Administer Oaths)