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70-C1001-00007

STATION Fort Bragg, NC 28307	DATE 7 Mar 70	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME BUCHANAN, Jay Allan	SOCIAL SECURITY ACCOUNT NO.	GRADE 1SG
ORGANIZATION OR ADDRESS Co C, 3d Bn, 1st Bde, USMACV, Fort Bragg, NC		

1971-1-14 BY CPT MEDINA
I HAVE BEEN ADVISED BY CPT MEDINA, INVESTIGATOR, Robert B. GRAHAM
OF CID
THAT HE WANTS TO QUESTION ME ABOUT VIETCONG
OF WHICH I AM ACCUSED OR 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 MILITARY TRAIL.
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. COUNSEL WILL BE APPOINTED FOR
ME AT NO EXPENSE TO ME IF I MAKE A REQUEST TO THE UNIFORM CODE ON MILITARY JUSTICE. APPOINTED COUNSEL
MAY BE MILITARY COUNSEL OR 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 ANYTIME DURING QUESTIONING.
I DO NOT WANT TO HAVE A STATEMENT AND
I DO NOT WANT TO ANSWER QUESTIONS.

INTERROGATOR ROBERT B. GRAHAM, Crim. Int'rs	WITNESS BARBARA L. MARD, Clerk-Staff
USA CID Company, Washington, DC (Initials and Organization)	DET B, 3d Bn, USMACV, Ft. Bragg, NC (Initials and Organization)

PART II - OWN STATEMENT

Q: SGT JAY ALLAN BUCHANAN, in addition to your having been advised as to your rights to remain silent and to have legal counsel present, I want to be sure that you understand that anytime I use the word counsel, I mean a qualified lawyer who is a member of a recognized bar of one of the United States. Is that clear or do you have any questions about anything we have talked about to this point?

A: I understand and have no questions.

Q: SGT BUCHANAN, tell me when you were first made aware of My Lai(4) and the mission there?

A: The first time I heard about it was in a briefing held by CPT MEDINA on the evening before the day of the mission. This was sometime around the middle of March 1968. I was platoon sergeant of the second platoon at that time. CPT MEDINA said that official reports to him were that there was a 40th VC Battalion in that area and that we would have to be prepared. He said we would really have to be ready because reports to him were that they probably would outnumber us 2 to 1 and that we would have to be well armed and that we could get revenge for people we had lost. After the briefing, LT BROOKS held a briefing and gave us information as to what squads would be operating there. My job was to resupply the platoon and knowing that I wanted them to be ready, I took extra supplies and resupplied the men. I wanted to be sure that they had everything they needed. After that we got out our beer rations and I issued them out. We waited until the next morning. I think we had 9 slicks when the company began to move out and I think I was in the second lift. I had four or five men with me but I don't remember who they were. When I got there there was one squad at the right wing of the village and I had extended on the left side of the village. At this time I was on one side of our sector and Lieutenant BROOKS was

EXHIBIT Q

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 6 PAGES

ADDITIONAL PAGES MUST CONTAIN THE SAME NUMBER OF PAGES AS THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE INITIALED AS "PAGE 2 OF 6 PAGES" THEN THE STATEMENT WILL BE FILED ON THE BACK OF PAGE 1 AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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Statement of 1st Lt. Jay Allen BUCHANAN, taken at Ft. Detrick, dated 7 May 70, cont'd.

on one side, so I couldn't see him. Also they were moving from house to house. I was a member of the 3d platoon and we continued to move through the village and after we moved through that village we moved up and turned and moved to the left across an open field. I saw some of the 2d platoon moving across the open field so I moved behind them. In the small hamlet we searched houses. We were told to move and round up everybody. LT BROOKS told us to tell everybody that no personnel would be shot and I yelled this to everybody I saw. We were then in a little hamlet directly north of My Lai (4). We were told then to have people walk in a southerly direction. Then the company married up and we moved north to what we call the cemetery area and stayed there over night. Co B, 4th Bn, 3d Inf, was in the same area and the two units set up a defensive perimeter in the immediate vicinity.

Q: SGT BUCHANAN, prior testimony has indicated you have made several attempts to stop shooting of women.

A: I didn't stop anybody from shooting anybody, as such, but I did tell everybody in general not to fire until they were fired on. I continued to yell that to everybody, but as far as walking up to anyone and stopping them from shooting someone, I did not do this. I did not see anybody physically shoot a man. I was on the left side and didn't see anybody shoot a man. We came in on the left side and whatever happened in the center of the village I couldn't tell you about because I couldn't see it. The first platoon had the center of the village and my platoon had the extreme left of the village which is to the north side.

Q: As to the briefing by CPT MEDINA on the evening prior to the mission, do you recall him speaking of including women and children in the killing?

A: No.

Q: We have several people who state that CPT MEDINA stated, "Kill everything that breathes."

A: No, I didn't hear anything about that.

Q: Can you recall who the squad leaders were?

A: No, I can't remember who had what squad for sure, but I think HODGES had the first, SHIEL had the second, and LACROIX had the third.

Q: Who was your platoon leader?

A: LT Steven BROOKS.

Q: Did you have GONZALES with you?

A: Yes, but I don't remember what squad he was in.

Q: Did you see GONZALES at any time during the operation at My Lai (4)?

A: No, not that I recall. I may have, but I don't recall seeing him.

Q: How about ROSCHEVITZ, who was also in HODGES squad.

A: They were already in the village when I got there and I saw ROSCHEVITZ one time and I just glanced at him then.

Q: Do you recall what his job was?

A: He was M-79 man.

Q: Did you see or hear of ROSCHEVITZ firing his M-79 with a fleshette into a group of women?

A: No, but I did ask what happened there. I wasn't present to see it and no one ever told me about how it happened. LT BROOKS went around to every man and ask who did it. These privates are funny, they talk among themselves but when a sergeant comes up they don't say anything at all. They just won't talk to us about anything like that.

Q: Subsequent to the operation, were you aware of an investigation being conducted by anyone over there?

CPT MEDINA called us together and we went back to LZ Dottie. He said there would probably be an investigation on our last operation and that anyone confronting us to

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Statement of 1SG Jay Allen MICHAEK, taken at Fort Bragg, NC, dtd 7 Mar 70, Cont'd

them down to the CP. That is why I didn't mention it because I thought it was being investigated. I got wounded and was paralyzed on 12 May 68, from a grenade in the back, or at least I thought I was paralyzed, but physical therapy brought me around. Therefore, I didn't concern myself too much with anything else.

Q: Did you, to the best of your knowledge, receive any hostile fire from the village?

A: There was so much firing until I couldn't say if it was hostile or not, but we didn't take any casualties. We were not pinned down as we had been previous times.

Q: Upon initial entry to the village, did it appear to you that the troops were firing for recon?

A: No, I was hightailing it to the left. From past experience I learned that you run and don't hang around. I was concerned about getting in off that LZ, so I made it in pretty fast.

Q: About the briefing again, was your interpretation of CPT MEDINA's instructions that everything that moved in the village would be killed?

A: Well, when I was told that we would probably be outnumbered 2 to 1 and that they would be everywhere I armed the platoon accordingly.

Q: Did your platoon sergeants stick together or get together?

A: No, we never got together under these circumstances. Once SGT COHAN and I got together and talked some and we would have talked more but we were fired on by the VC. After My Lai we got together and talked about his R & R, but that is the only time.

Q: Was there any other discussions around the CP after the mission?

A: CPT MEDINA didn't like for anybody to hang around and when I went in he would say something like get what you want and get out or get back to your platoon. Of course he allowed some in there more than others, but not a platoon sergeant, oh no.

Q: How about SGT LOPEZ, was he a friend to this LOPEZ? Were they buddies at all?

A: They were friendly and he did recommend LOPEZ to be promoted. LOPEZ was recommended for promotion above other soldiers who were far better soldiers. He didn't like MITCHEL, but MITCHEL was a far better soldier than LOPEZ. He was brave and LOPEZ wasn't. When a man got hit I always went and tried to assist the medic in dressing the wound and preparing the man to be evacuated. LOPEZ didn't do this.

Q: Did you see LT CALLEY during the operation?

A: No, not during the operation. The first time I saw him was when we were ever in the cemetery area. I didn't even see him when we marched out of there.

Q: Did you see a ditch in your passage through My Lai (4) containing several bodies?

A: No, I didn't. I saw several bodies lying around spaced out, but none in a ditch.

Q: Did you see any persons appearing to be families?

A: No, I didn't because they were not in groups.

Q: Did you see maybe two or three women and one child together?

A: I saw two or three women and some children in front of the hootches, but I don't know if they were families or not.

Q: Subsequent to the operation did you hear anything said by members of the unit about wiping out groups or individuals--such as maybe TORRES saying "Yes, I creamed that group."

A: No, I didn't. As I said, privates talk among themselves but not around me. I got on TORRES several times for his attitude.

Q: SGT COHAN told MORZANADO that about 300 people were killed in My Lai (4), do you know if this is true?

A: No, I don't know. From where I was I didn't see any of the killings and I can't even comment on it.

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Statement of 1SG Jay Allan BUCHANON, taken at Ft. Bragg, NC, dtd 7 Mar 70, continues:

Q: You had the second platoon, who had the first and third?
A: COWAN had the first, I had the second, and LOPEZ had the third.
Q: Do you recall the platoon leaders for the three platoons?
A: CALLEY was for the first, BROOKS the second, and MCROSS the third.
Q: Do you recall any other attached NCO's or officers?
A: There was a mortar platoon or some elements of a mortar platoon.
Q: Were there any MP's or engineers?
A: I don't know, but I believe we had a demolition team with us, but I am not sure of this.
Q: Do you know what CPT KOUTUC's position or duties were?
A: I think he was with the S-2 Intelligence Section.
Q: Was he on this particular mission?
A: I believe he was.
Q: Do you recall seeing or hearing of CPT KOUTUC interrogating a VC suspect and cutting portions of his fingers off?
A: No, here again CPT MEDINA wouldn't let anybody around the CP and it would have been with the CP, so I don't know anything about it and didn't see it.
Q: Did you hear anything about that at all?
A: I heard talk about it, but I didn't see it. I heard it sometime later, but I don't know if it was true or not.
Q: How many prisoners were taken?
A: Numerous people were rounded up, but we didn't take any prisoners. We sent about 60 people walking, but didn't take anybody back with us.
Q: How many bodies in all would you estimate you saw in the village?
A: There were quite a few but I didn't count. I couldn't even begin to give a number. I really couldn't say.
Q: Can you estimate that there were more or less than 20?
A: Again I didn't count, but I believe there were less than 20.
Q: Earlier you spoke of seeing a small group of bodies in a small hamlet to the north of My Lai (4) and stated there were several soldiers at the scene--do you recall who any of these soldiers were?
A: No, other than LT BROOKS.
Q: Were you aware of did you hear any talk of rapes being committed by members of Co C?
A: Again, if these people did these things, they didn't let any sergeants hear about it.
Q: You didn't hear anything about HUDSON, HODGES, HUTTO, and TORRES, or any other members of the unit?
A: No, it wouldn't get to my ears if they had.
Q: SGT BUCHANON, we went over this before, but it has been brought out that you attempted to stop unnecessary killing.
A: Yes, I said to my men not to shoot anybody unless they were armed and firing at them. I didn't physically restrain anybody from firing. I yelled that they not shoot at anyone not armed.
Q: Subsequent to the operation, were you questioned by COL HENDERSON?
A: After the operation was over we were picked up and went back to LZ Dottie. We got off the chopper pad and he stopped and asked us if we felt during this operation we left a good impression and if they saw us coming again would they say we were friends. At first this question was directed at the group and no one said anything. Then he looked directly at me and asked me "What about you?" I said "I have no comment sir."

EXHIBIT Q

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Statement of SGT Jay Allan BUCHANON, taken at Ft. Bragg, NC, dtd 7 Mar 70, continued:

Q: Did you see General YOUNG at LZ Dottie? He was Assistant Division Commander.
 A: No, I didn't see him.

Q: Did you see COL BARKER?

A: I have seen him there several times, but I didn't see him there that day.

Q: When the orders to stop shooting were put out, when was this and where were you in the village, and who originated the order, and also who received it?

A: We were in the isolated hamlet. LT BROOKS received the message over the radio and I assume it came from CPT MEDINA.

Q: SGT BUCHANON, I would like you to look at a series of photographs and see if you can recognize some of the people in them.

A: Yes, this photograph marked H-1, and in color, is the chopper that came to pick us up at LZ Dottie. Photograph H-3, and in color, appears to be the area where the choppers landed on LZ but I don't recognize any of the individuals.

Q: Did you know SMITH and WEST?

A: Yes, they were both members of the third platoon. Other than the photographs I identified above I have not seen any of the scenes depicted in the other color photograph.

Q: I now show you a series of unnumbered black and white photographs. Would you please look at them and attempt to identify persons or locations depicted?

A: Black and white photograph labeled "A" dated 7 March 1970, depicts CARTER, a medic whose name I cannot recall, & PFC WENNER who was CPT MEDINA's RTO. Black and white photograph labeled "B" dated 7 March 1970, I recognize SGT PHU, who was Co C interpreter. He is an ARVN soldier. PHU would have been with CPT MEDINA. Black and white photograph labeled "C" dated 7 March 1970, I recognize SGT LCPLZ in the center of the photograph. I don't recognize the geographical area of the village. Black and white photograph labeled "D" dated 7 March 1970, I recognize PHU and STANLEY, but I don't recognize the geographical area. Black and white photograph labeled "E" dated 7 March 1970, I recognize the squad leader from the third platoon, but I don't recall his name. Black and white photograph labeled "F" dated 7 March 1970, I recognize SMITH from the third platoon. The remainder of the black and white photographs I do not recognize the areas or the people depicted in them.

Q: SGT BUCHANON would you please point out to me on the map of My Lai the areas in which the platoons operated.

A: Yes

Q: What were the specific missions by platoons

A: One and two was to search and destroy. The third platoon had the burning mission.

Q: Did you see CPT MEDINA during the operation?

A: No, I didn't see CPT MEDINA until we had finished the entire operation and we were moving out in the direction of the cemetery area where we stayed over night.

Q: Did you observe SHIEL at any time during the mission?

A: No, not that I know of, but if I did it might have been just a glance.

Q: Did any of the men in your platoon ever approach you after the mission at My Lai and complain about what they had seen or what had occurred?

A: No, as I said before, they never approached me. They just won't complain to sergeants. They probably talked among themselves.

Q: Do you have anything to add to or delete from this statement?

A: I would like to add that I did not shoot anyone during the operation at My Lai (4), nor did I see anyone else shoot anyone.

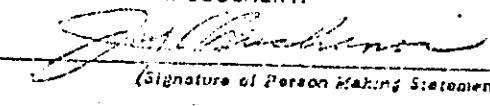
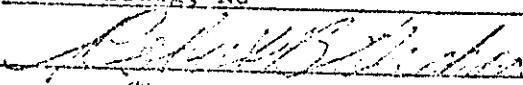
EXHIBIT Q

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STATEMENT (Continued)

APPELLEE	
I, Jay Allan BUCHANON, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 6. 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.	
 (Signature of Person Making Statement)	
Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7th day of MARCH, 1970, at Fort Bragg, NC	
 (Signature of Person Administering Oath)	
ROBERT B. GRAHAM (Typed Name of Person Administering Oath)	
Art. 136(h) (4), W.M.T. (Authority To Administer Oaths)	
EXHIBIT Q	
INITIALS OF PERSON MAKING STATEMENT	
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