

WITNESS STATEMENT

(AA FORM 100-100, MAY 1960)

DATE

6 May 70

TIME

1800

FILE NUMBER

GRADE

Civilian

SOCIAL SECURITY ACCOUNT NO.

NAME, LAST, FIRST, MIDDLE NAME

ORGANIZATION ADDRESS

SWORN STATEMENT

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

- Q: In addition to your previous statements, would you mind answering more further questions concerning what occurred during the combat assault on My Lai (4), Republic of Vietnam?
- A: No, I don't mind.
- Q: Concerning the rape of the Vietnamese girl by SGT HODGES, where and when did this take place. I previously stated that it took place at My Lai (5) or My Lai (6), but after a closer look at Vietnam Map Sheet 6739 II, Series L7014, Quang Ngai, Edition 2-4860, I see that the small village I mentioned is shown unmarked about 500 meters north of My Lai (4). I don't know the name of that village. I could not estimate the time that the rape occurred. I know that it was before we stopped to eat lunch, though.
- Q: Again, can you recall names of other witnesses?
- A: Just possibly ROBERTSON and GONZALES as I said before. No one was inside the hut, other than HODGES and the girl.
- Q: Can you relate further details concerning the actions of HODGES and the girl?
- A: He grabbed her by the arms, hands or wrists. I don't recall that he hit her, or if he pushed or pulled her into the hut. Most of her yelling or screaming took place when she was first grabbed. She struggled with him going to the hut which was about 50 feet from where he grabbed her. Inside the hut she stopped resisting after he got her on the ground. I don't know how he got her on the ground because I didn't stand there and watch all the time.
- Q: Can you further describe what HODGES and the girl were wearing?
- A: HODGES was wearing fatigues. I don't know if he was wearing his pack or not. I believe his M-16 was in one hand. She was just wearing the unbuttoned blouse. I don't know what color it was.
- Q: Did you witness HODGES penetrate the girl with his penis?
- A: No, I did not see HODGES' penis.
- Q: How are you certain that he raped her?
- A: He was laying on top of her and moving his body in the manner of one engaged in sexual intercourse.
- Q: Do you recall if anything was said by HODGES or the girl before, during or after the act?
- A: I don't recall.
- Q: What did HODGES do after the act?
- A: I don't know. I left before he finished.
- Q: Where did you go?
- A: I continued moving through the village. I next saw HODGES about 5 minutes later.
- Q: What became of the girl?
- A: I am not really sure, but I think I saw her later in a group of about 30 people that were turned loose. I also think she was still wearing only the blouse, but I am uncertain.

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGE

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. IF THE STATEMENT IS CONTINUED ON MORE THAN ONE PAGE, THE INITIALS OF THE PERSON MAKING THE STATEMENT MUST BE PLACED ON THE REVERSE SIDE OF EACH PAGE. WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LACED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

Do you recall HUTTON or HUTTO firing on anyone with an M-60?

No. 1097

I, [Name], do hereby certify that the foregoing is a true and correct copy of the original as same appears in my possession.

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 19____.

In presence of _____

[Signature]

AFFIDAVIT

I HAVE READ TO ME THIS STATEMENT

HAVE READ OR HAVE HAD READ TO ME THIS STATE
THE ENTIRE STATEMENT

WITNESSES: 1. JOHN J. [illegible]

James Buglio
(Signature of Person Administering Oath)

JAMES BUGLIO

James Buglio
(Typed Name of Person Administering Oath)

Art 136(b)(4), UCMJ

(Authority To Administer Oaths)

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10/11/13