

TELEPHONE CONVERSATION BETWEEN LTC MOSLEY AND MR. DENNIS BUNNING,  
RAYMOND, CALIFORNIA. REF: The Article 32 Investigation Concerning Charges  
Against SSG Hodges, 0940 hours, 13 May 1970

Mr. Bunning? Right. This is Col Mosley. I'm the Article 32 Investigating Officer in the case against Sgt. Hodges. I have some questions I'd like to ask you, but before I do there are some procedural steps I'd like to go through here that will take just a few minutes and then we'll start into the specific questions we'll have to ask. B: Okay.

Col. Mosley: The hearing will come to order. Present at the hearing are myself (Col. Mosley), the Article 32 Investigating Officer; the accused, Sgt. Hodges; the defense counsel, Cpt. Raulerson; the Government counsel, Cpt. DeMetz and the recorder, Sgt. Doughty. Not present at the hearing, but on the telephone, conference call, is Mr. Dennis Bunning in Raymond California.

Col Mosley:

Mr. Bunning, the purpose of the investigation is to investigate those charges against Sgt. Hodges that were preferred by his Commanding Officer here at Fort McPherson. The charges arise out of incidents which occurred at My Lai on or about 16 March 1968. You have made a statement pertaining to this case which is being considered by me and by the Government and the defense counsel. I would now like to read you your statement and ask you if you have anything to add or that you wish to delete from that statement. Following that, I would like to ask you some specific questions pertaining to some items not fully developed. Before I get into it, I would like to, with the consent of the Government and the defense counsel, swear you the oath so that you can make a sworn statement. Is this agreeable with you, Mr. Bunning?

Bunning: Yes. You will have to talk louder, though, I can hardly hear you.

Mosley: All right. Does the defense counsel agree to swear Mr. Bunning?

Defense: Yes, sir; I agree. Mosley: Government counsel? Gov. C: Yes, sir.

Mosley: Mr. Bunning, the oath is as follows: Do you swear and affirm that the evidence you shall give in the case now at hearing shall be the truth, the whole truth and nothing but the truth, so help you God? Bunning: Yes, I do.

Mosley: I'd like now to read you the statement that you made earlier, Mr. Bunning. The statement was made by you at 2100 hours on 7 December 1969, and was made to Mr. James Buglio, a person authorized to administer oaths. The statement is as follows:

"I, Dennis Martin Bunning, want to make the following statement under oath. I was drafted in June 1967 and completed basic training and AIT and AIT at Fort Polk, Louisiana on 20 October 1967. I took a 29-day leave, then reported to Oakland Army Terminal for transportation to Hawaii, where I joined C-120 around 22 or 24 November 1967. The unit was subsequently transferred to Viet Nam and we got there about 1 December 1967.

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I was a rifleman in the 2nd Platoon, 1st Sqd. My Platoon was Lt. Calley, initially, but later was replaced by Lt. Brooks, who was my Plt. Ldr. during Task Force Barker. My Plt. Sgt. was a Sgt. Buchanan. My squad leader was Sgt. Hodges and I believe my fire team leader was a specialist 4 Mc\_\_\_\_\_. One day after March 1968 at LZ Dottie, Cpt. Medina assembled the company for briefing on Task Force Barker. He told us that the next day we were to begin a three-day search and destroy operation in the area of Pinkville. He stated that we would be CA'd into the enemy controlled area, that it is controlled by VC or VC-sympathizers, that authority had been given to enter the area, as it was outside our normal area of operation. He stated it was our change to get revenge for the men recently killed and wounded in that area. I cannot recall his exact words, but I do recall him saying in effect that we were to kill all the people and animals and to destroy the homes and crops. He also stated that the orders from higher headquarters were to kill the enemy only, but he said that we were to kill everyone. He also advised that prior to our assault the area would be prepped with artillery. His briefing lasted approximately 30 minutes. Later that evening we received a briefing from our Platoon leader and/or squad leader. My recollection is vague here and I don't recall during which briefing we received instructions as to formations, time of departure, etc. As planned, we were picked up the next morning by helicopter and flown to our landing zone, west of My Lai(4). I believe I was in the second lift. The entire company landed approximately 100 meters to the west of My Lai (4). First and 2nd platoons formed on line to assault the village; first platoon on the right facing the village and second platoon on the left or north side of the village. The 3rd platoon brought up the rear and was to count bodies and burn the village. I cannot recall who was in the helicopter with me, but when we formed for the assault I was the last man on the left (north side of the village), and I believe a Pfc. Leonard Gonzales was to my right. I also believe that the landing zone was cold. At least, I was not aware of any incoming rounds. As we were moving to form on line at the western edge of the village, some of the men started shooting at the people, male and female, working in the fields near the village. Just in my field of vision I saw five or six Vietnamese shot by unknown members of my unit. I do not recall an order to fire. We started to move through the village and about three children, 7 to 9 years old, ran toward us with their hands out saying "chop, chop", indicating they wanted food. They were shot and killed. I don't recall who shot them but there were two or three men shooting. This took place approximately 100 meters inside the village in the northwest corner. As I walked east, I observed numerous Vietnamese, about 15 to 20 men, women and children, being shot at random. Everyone except a few of us were shooting. At a hut about half-way through the village, from about 40 ft. to one side, I observed Shield and about four or five members of his squad shooting about nine men, women and children in front of the hut. Before shooting, Shields said, 'I don't want to shoot them,' twice, 'but I have to because we were ordered to,' or words to that effect. One man was shooting an M-60 machine gun from the hip; the others fired their M-16's on automatic. The Vietnamese were just huddled together. The firing almost literally tore up their bodies. My route through My Lai(4) was mostly in and out of the extreme northern tree line. I never went farther than a hundred feet into the village. During my passage

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through the village I continued to observe random shootings of the Vietnamese by/known members of the 1st and 2nd squad of the 2nd Platoon. They were the only elements I could see inside the village. Approximately three-fourths of the way through the village some men farther inside yelled that a man was getting away to the left. Hodges and I moved to get a view of him and saw a young man running north. I shot a clip of 20 rounds on automatic but never hit him. Hodges shot and the man fell. Other than animals, that was the only time I fired my weapon. We continued to move through the village. I still observed random killings of men, women and children until we reached the eastern edge and were through it. It took approximately one hour to go through My Lai 4. I don't recall who, but someone noticed that I wasn't shooting and told me to start. I told him I was not going to shoot women and children and that's why I was assigned the complete left flank at the onset.

After going through My Lai 4, we got word by radio that the gunshipd killed two men with weapons to the north. Our platoon was assigned to get the weapons and check the bodies. We found the bodies and two rifles approximately 200 meters north of the east edge of the village. We, 2nd platoon, then moved into the village just north of My Lai 4. I don't know if it was My Lai 5 or My Lai 6. There I witnessed some more killings of men, women and children. I also observed several rapes; one was committed by Hodges. First I observed a Mexican-American having sexual intercourse having sexual intercourse with a Vietnamese girl about 18 years old. She was only wearing a blouse, it was unbuttoned. When he finished, the girl got up to get away and Hodges grabbed her. All the time she was fighting and yelling. Hodges took her inside a small hut and raped her. I saw this through the open front of the hut. McBreen and L. Gonzales may have seen this. Either before or after Hodges raped her, I saw three US soldiers with her. One was having normal sexual intercourse while another had his penis in her mouth and at the same time she was fondling the penis of a third man. I did not know the names of these men. Two of them may have been Delgado and Rodriguez.

During this time members of different squads, 2nd Plt, grouped about 20 men, women and children inside the village. Gary Roschevitz fired his M-79 grenad e launcher at the people several times, killing and wounding most of them. Several other men finished killing them with their M-16s. There may or may not have been someone shooting them with an M-60. Roschevits is the only man I can remember at the incident.

We continued to move through that village, again there was random killings of men, women and children, until we got the word by radio to stop the Killing. Our Plt Ldr, Lt Brooks received that message and passed the word. At that point we continued to search the village and hold the remainder of the people. Shortly thereafter we left that village and released the people we held. There were about 30 men, women and children released. We then went to the east end of MyLai4 and had lunch. After lunch we moved to our overnight position approximately 500-800 meters southeast of My Lai (4).

The next day we moved to the coast, burning empty houses as we went. We set up night positions again southeast of My Lai (4) and the next morning we moved to a designated LZ and were picked up by helicopter. I don't recall exact locations.

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Ltc. Mosley: Now, Mr. Bunning is this, to the best of your recollection, the statement that you made?

Bunning: Yes.

Mosley: Do you have anything that you would like to add or detract from this at the present time?

Bunning: No, not really.

Mosley: All right. Well, there were some additional questions that were asked following your statement, a question and answer period. I don't want to read that and take up your time for it -- I understand you're quite busy with your farming endeavors there; but I do have some specific questions that I would like to ask you. On page two of your statement you referred to an incident where you and Sgt. Hodges shot at a man who subsequently fell after Sgt. Hodges shot at him.

Bunning: Right.

Mosley: Do you recall how far away this individual was when you were shooting at him, And also when Sgt. Hodges was shooting at him?

Bunning: I think I said in one of the statements, it might have been Peers statement, he was, I don't know, a hundred or two hundred yards or something, he was quite a ways out there.

Mosley: I see. You indicated that the man fell. Do you feel that he was wounded, killed or perhaps seeking cover?

Bunning: Well, that's hard to say. I wanted to go out and see and check, you know, because in my opinion I was sure that this was enemy or I would have never shot to begin with. He appeared to be a young man to me, so I wanted to go see if he had anything on him, or what he had, because at the distance he was a person couldn't tell if he was carrying grenades or anything, because he was quite a ways out there. But the way he was running and the way he was acting, I was sure he was enemy and I wanted to see what he had but Sgt. Hodges thought it was better that we move on to the village so being as he was quite a ways out there, we never went out and checked. It's hard to say whether he fell for defense of his life or whether he actually was hit or what, or wounded or exactly what; I mean, I wanted to check him to see, to make sure he was dead because like I say, I felt he was enemy for sure.

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Mosley: I see. But you really don't have/firm feel as to whether or not the man fell, was taking cover or whether he was, in fact, hit?

Bunning: No, that's why I wanted to go out there, you know, because if I was sure he was dead it wouldn't have been necessary to go out there. As Sgt. Hodges was shooting he fell over, I mean its hard to say whether he was killed.

Mosley: Right, I know, I understand.

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Mosley: You said you couldn't tell whether he was carrying a weapon or any other type of military equipment.

BUNNING: No you couldn't. He was quite a ways away and that was, like I said, one of the reasons why I wanted to go check and see. Because I wouldn't have been shooting at him unless I believed that he was somebody to come down.

Mosley: And to the best of your knowledge, no one ever looked for that individual after you finished going through the village.

Bunning: No, nobody did because he was way out there in the rice paddies and we just barely got through the village when we had to go get those two that had weapons out there.

Mosley: Right. Now, I think you mentioned it before, but I have a question here and am getting them in sequence if I can. Do you feel reasonably sure that this individual was in fact an adult male?

Bunning: Definitely, just about my age -- in the twenties, a good-size soldier. ] 10

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Mosley: I see. Bunning: It was/a woman and it wasn't an old man.

Mosley: I see; that's what I was after.

Mosley: Do you know of any additional information that you think might be of value to us in the investigation we are conducting here, as pertains to that shooting incident?

Bunning: No, I don't really think so, not more than what I said. I mean, I feel as far as I was concerned he was enemy. I don't think anybody should be worried about him.

Mosley: I'd like, Mr. Bunning, to offer the defense attorney and the Government attorney, in that order, an opportunity to ask you questions. Cpt. Raulerson, do you have any questions you would like to ask Mr. Bunning on this particular item.

Raulerson: Yes, two or three questions.

Q: On this individual you fired at, How close was Sgt. Hodges to you when he fired? right beside you?

A: Yes, as a matter of fact when I fired my full clip all the brass went right in his face.

Q: Then there is no doubt in your mind that when you fired you thought you were firing at an enemy VC, right?

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A: If I didn't know it was a VC or at least a good idea that it was I would have never shot at him. In my mind it was enemy getting away.

Q: Did someone yell to you that somebody was getting away or something, across the rice paddy?

A: Yes, I was on the left flank to guard the rice paddy, as it was, and at one time I was going through a hedgerow and somebody from the inside hollered that somebody was running out there and that was when Sgt. Hodges and I moved out there.

Q: This was an adult male, to the best you could tell, is that right?

A: Yes.

Raulerson: I have no further questions right now. Captain Demetz wants to ask you a few questions. DeMetz: No questions on this point.

Mosley: Later in your testimony that I read to you just a moment ago, you stated that you observed several rapes and first saw a Mexican-American rape a Vietnamese girl about 18 years old, and that Sgt. Hodges next raped that same girl. Is that correct?

Bunning: That's the best I remember. Now, whether that girl was raped by those two then or later, I couldn't remember whether the two I said raped her, they may have done that before or after Hodges had, but somebody had had her first before Sgt. Hodges took her. I'm not sure it was that particular incident, which I have stated in there, happened before or after.

Mosley: Let me get this straight now. Let me review your statement here and make sure that I'm properly phrasing the question. I am quoting from your statement again now, Mr. Bunning. "We, 2nd Plt then moved into the village just north of My Lai 4. I don't know if it was My Lai 5 or My Lai 6. There, I witnessed more killings of men, women and children. I also observed several rapes. One was committed by Hodges. First I observed a Mexican-American having sexual intercourse with a Vietnamese girl about 18 years old. She was only wearing a blouse, it was unbuttoned. When he finished, the girl got up to get away and Hodges grabbed her. All the time she was fighting and yelling. Hodges took her inside a small hut and raped her. I saw this through the open front of a hut." Now, my question to you, is this the same girl the Mexican-American was with first and then Sgt. Hodges grabbed her and took her in the hut? is that correct?

Bunning: That's correct, providing that I'm right in saying that that incident happened before Sgt. Hodges took that girl or whether it was somebody that had just had her. I'm not really sure on which event happened first. I know that somebody else had already got that girl, but I'm not sure whether that other incident may have happened later or may have happened in the beginning; I'm not sur-

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Mosley: Would you describe to me then, those circumstances surrounding Sgt. Hodges getting this girl inside the hut?

Bunning: Well, what the statement said don't sound too good because when the CID guys are out here, they pump the hell out of a guy and then when you tell them something they like to put it in their own words anyhow, and like when I said in there she was screaming and yelling, well, it wasn't all that bad, but that was the way he wanted to put it in there and I didn't object too much. I told him that she wasn't putting up that big of a fuss; she only yelled or screamed a very little bit right at first when he grabbed her but then she never did any more after that.

Mosley: In your recollection of the girl when she was involved with the Mexican-American, did you observe the Mexican-American having intercourse with the girl?

Bunning: I didn't stand there and watch; it appeared to be -- they was all down on the ground.

Mosley: My point here, Mr. Bunning, was did the girl appear to resist the Mexican-American's advances?

Bunning: No.

Mosley: She did not? ✓

Bunning: No.

Mosley: Did you have the impression from what you observed that the girl was agreeable to the act that was being performed by the Mexican-American?

Bunning: She didn't appear to be against it, actually, she wasn't putting up too big a fight or anything.

Mosley: You also stated in your statement that you observed three other US soldiers that were intimately involved with the girl all at the same time. Did the girl appear to offer any resistance at that time?

Bunning: No.

Mosley: You mentioned that one of the individuals.... or that the girl was fondling one of the three soldiers, having intercourse with one man, had the penis of another in her mouth; did these things appear to be forced on her? I am trying to ascertain how closely you observed this.

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Bunning: I just walked by when they were doing it and, I don't know, I think a lot of it may be to do with all the killing and all going on there the girl wasn't putting up any resistance, might be because she had her life to think about, too. She never really fought anybody, but she wasn't fighting any of them when I walked by.

Mosley: Did you observe at any time, Sgt. Hodges striking the girl?

Bunning: No.

Mosley: When the girl came out of the hootch from her exposure there with Sgt. Hodges, did she appear to have any bruises or lacerations, indicating that perhaps she had been beat upon.

Bunning: No, not that I noticed. You know, that was the same girl that they ended up turning loose and when they turned her loose she wasn't beat up or anything.

Mosley: I see. What did the girl do after she was released? Did she attempt to escape, did she run or did she hang around with other men?

Bunning: Released from which guy?

Mosley: Specifically, with Sgt. Hodges.

Bunning: No, she did not do anything, she just followed with the rest of us in the village, I remember.

Mosley: At the time that she was going through the village was she being forced to go or was she... did she appear to be going of her own free will?

Bunning: I don't recall anybody forcing her or her being forced. I forget who, but she was walking with somebody.

Mosley: Walking with someone?

Bunning: Or in front of someone, because when we were going through, it all happened so quick right then, you know, that they told us to quit shooting everybody. So we continued gathering up everybody and she was just gathered up with everybody.

Mosley: More as a prisoner, then?

Bunning: Right.

Mosley: After the rapes took place in the hut, did you observe her to fraternize with any of the other military men there, hang around with any of the other men there or appear to, for lack of a better term, did she appear to "like" one of the military men better than she liked other members of the organization?



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Bunning: I don't know, I really don't...wasn't paying that much attention. All I remember is that we moved on, that she was there when we turned them loose. It was all full of trees there and I couldn't see her at all times.

Mosley: Getting into some of the specifics, when you saw the girl with Sgt. Hodges in the hut, your statement indicated you observed this through the front of the hut. Were you in position to observe Sgt. Hodges' state of dress, did he have his clothing off? What was the situation at the time.

Bunning: The CID guy was out here the other day about all that. He had all of his clothes on.

Mosley: You saw enough to confirm in your own mind that Sgt. Hodges did, in fact, have intercourse with the girl at that time .

Bunning: Well, that's really hard to say too, because, like I said when the CID guy was out here, I never saw him have his penis inside of her, no. Because he had all of his clothes on and I couldn't see it. To come right down and say "yes he did", that's impossible to say, because the angle where I was, I couldn't see. It appeared like it, but.....

Mosley: At the time you observed him through the hut, what position was he in with reference to the female? Were they on the ground or on some type of bed or something of this nature?

Bunning: So far as I remember, it was on the ground, you know; there may have been a mat or something there -- they don't got no beds out there. They just sleep on mats and I don't know whether there was a mat there or not. They wasn't up on a bed, though, there is no bed there.

Mosley: Were they in a position that you would normally associate a male and female having sexual intercourse? B: I would say so, I guess.

Mosley: That ends my questions on these particular points, Mr. Bunning. I'd like to let Capt. Raulerson ask some questions if he desires to, and then the Government attorney if he decides to. First will be Capt. Raulerson, the defense counsel.

Raulerson: Mr. Bunning, when you saw Sgt. Hodges grab the girl, do you know if anyone else was around at the time, that saw this? Who else was around at the time that Sgt. Hodges grabbed the girl?

Bunning: Well, like I said in my statement, I thought that McBreen and Gonzales probably could have been around, there were several people there, that I knew of. At least from where I was standing I could see several people.

Raulerson: You referred in your statement to the fact that she was having

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normal sexual intercourse with one man and another one had his penis in her mouth and she was fondling the penis of a third man. You state that two of them might have Delgado and Rodriguez. Could this have possibly been 45 minutes to an hour after Sgt. Hodges was in the hootch with her.

Bunning: Like I said in the statement, it could be, yes, because I couldn't remember for sure in which time the events happened, which one happened first, you know. It's quite possible that could have been later.

Raulerson: How long did you observe Sgt. Hodges in the hootch with the girl; how long did you actually see Sgt. Hodges inside?

Bunning: Well, I was quite a ways away and I could just see him in the hootch, but I went up to the door for three or four seconds or not even that long. I just got a real short question and he gave me a real short answer as I recall, and I just went away then.

Raulerson: So you didn't actually look in the hut then but say, 3 or 4 seconds or less, is that what you said?

Bunning: Yes, I was just, you know, just walked up to the door and asked him and turned around and left, it didn't take long.

Raulerson: So that was all the time you saw him actually, could see him actually with the girl in the hootch?

Bunning: Yes, other than that I was quite a ways away, and from where I was looking all I could see was, as I recall, was the head of Hodges and the top of him. Because the hootch was on a little bit higher ground than where I was standing.

Raulerson: So three to five seconds was all you actually observed him and the girl there together in this position you described, is that correct? three or four seconds or less?

Bunning: Yes, actually where I could see him and the girl both, right.

Raulerson: How long do you think Sgt. Hodges was actually in the hootch?

Bunning: Not very long, it wasn't more than three minutes probably, or at the very most three minutes, three minutes takes quite a while to go by sometimes.

Raulerson: Three minutes you say?

Bunning: Yea, he wasn't in there very long at all.

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Raulerson: Did the girl come out of the hootch with Sgt. Hodges?

Bunning: I wasn't standing right there when they came out, I was in the next hootch when they came out, or up to the next hootch I should say. And I didn't see her come right out, right with him.

Raulerson: Afterwards when you saw the girl later on, did you ever see the girl with her arms around one of the GIs, walking along with him?

Bunning: That might be... I think I did, as a matter of fact, when they was walking down the lane after they had all the prisoners, all the people, gathered up. She was, I think, the last one to be walking, and I think she had her arm around a person.

Raulerson: Was she trying to get away from that person or anything, or was she..

Bunning: No! She never resisted or tried to run or escape actually at all, except for like I said when the Sgt. first grabbed her, I think it was more... could have been shock you know, of being grabbed, because she never really struggled or yelled.... well, you know how a girl will scream sometime, you know, just a couple little screams or something.

Raulerson: Do you remember a mama san, somewhat later after this, there was a girl outside with just a top on, and the mama san seemed to be upset about this and the girl seemed to be enjoying the attention she was getting... something like this... do you recall anything like that?

Bunning: No, I don't. This would be right before we started to move, huh?

Raulerson: Or some time after you say you saw her in the hootch with Sgt. Hodges.

Bunning: No, I don't recall that, but I do recall her walking with somebody, how that you did say that. She did have her arm around him. Then from there we got up to where we turned then loose and I don't recall that. It may have happened between there and when we turned them loose and when we turned them loose I just remember them all walking away.

Raulerson: When you observed Sgt. Hodges and the girl for three or four seconds, was she fighting or struggling at that time?

Bunning: No, not that I saw, she was just laying there.

Raulerson: Did she seem to be enjoying herself, or could you say one way or the other?

Bunning: I Couldn't really say, because I couldn't see her face.

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Raulerson: Do you know if Sgt. Hodges had his field pack on?

Bunning: No, that I can't recall whether he did or not. I'm not sure whether he did.

Raulerson: Did this happen, this incident you're referring to, did it happen in the actual village of My Lai 4, or was it up north of My Lai 4 in the hamlet north of My Lai 4.

Bunning: It was in the hamlet north of My Lai 4, right. This last CID guy had a name for, I can't say what... I can't remember the name.

Raulerson; How many witnesses did the CID guys tell you they had against Hodges?

Bunning: He said there were four or five, I think, all together.

Raulerson: That saw him do this?

Bunning: The way he stated it to me, yes, that's the way I took it, you know, that's what he said.

Raulerson: Had you known Sgt. Hodges pretty good before this My Lai 4 deal? How well did you know Sgt. Hodges before this incident in My Lai 4.

Bunning: Oh, quite well; he had been our squad leader most of the time.

Raulerson: What did you think of Sgt. Hodges?

Bunning: Well, he was pretty good, I liked him. He treated us all fair.

Raulerson: Did you know the Trevinos, Fernando and Roy Trevino?

Bunning: Yes.

Raulerson: Do you remember seeing them around there anywhere at this time, when you saw Sg.t. Hodges with the girl?

Bunning: I don't know. They should have been somewhere near, because I believe they were in the squad that was next to us, one of them was. As a matter of fact, I believe both of them might have been in our squad at the time. I know one of them was in our squad at the time so they should have been in the area. I don't particularly recall particularly noticing anything they did if they were there.

Raulerson: I have no further questions at the time Mr. Bunning. Capt. DeMetz, the Government representative might want to ask you a few questions. I might have two or three questions after he gets through questioning. Thank you very much.

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DeMetz: Mr. Bunning, this is Captain DeMetz. When you saw Hodges in the hut with this girl, had people been killed right around there?

Bunning: What do you mean by right around there?

DeMetz: In that vicinity.

Bunning: The closest that I recall was maybe 200 ft. away, not right at that house or right there.

DeMetz: Had Roschevitz killed anybody at that time?

Bunning: Well, like I said in the statement, I think it was all happening right about the same time.

DeMetz: So there were gunshots going off, as you remember.

Bunning: I believe there were, yes.

DeMetz: You say you remember one man having the girl before Hodges did; when the first man was finished, what did the girl do?

Bunning: What do you mean, what did the girl do?

DeMetz: Did she say anything, or did she attempt to get away, or what?

Bunning: No, not really; she just sat up and then was just sort of standing there, might've took a couple of steps or something. She wasn't trying to get away or anything.

DeMetz: Was this in the hootch?

Bunning: No.

DeMetz: This was outside?

Bunning: Right.

DeMetz: Did she walk in the hootch, or did someone lead her in the hootch?

Bunning: You mean where Sgt. Hodges went?

DeMetz: Right.

Bunning: Like I told this last CID guy, I don't really know whether she wanted to go, if he pulled her or shoved her or exactly how. I don't recall; I mean, There wasn't an awful struggle or anything that I remember, whether he shoved or pushed or anything like that.

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DeMetz: How far was is from the first guy who had her to the hootch, can you remember that?

Bunning: Well, I'm not real sure, the girl may have walked some when she got up, because I can't really remember exactly where she was the first time, but when Sgt. Hodges took her, she was 30 or 40 feet, around that neighborhood.

DeMetz: Together they went to the hut?

Bunning: Right.

DeMetz: When you walked up to ask the question of Sgt. Hodges, how far were you from them, from the two of them?

Bunning: Oh, maybe ten feet, 12 feet, something like that.

DeMetz: Could you see them clearly?

Bunning: Well, pretty clearly; what do you mean?

DeMetz: I mean was there anything blocking your view?

Bunning: There was a little cook stove, or whatever it was, partially sticking out, but I could see pretty clearly.

DeMetz: Would you describe to me the position they were in?

Bunning: I think we already talked about that to the lieutenant colonel; He was laying on top of her, I would say, and moving up and down some, but that's all.

DeMetz: Was he between her legs?

Bunning: I don't really know, one leg I couldn't see at one side, I didn't pay that much attention to them, something blocked out, so I don't know.

DeMetz: Can you remember her saying anything at all.

Bunning: No.

DeMetz: Can you remember hearing Sgt. Hodges say anything to her?

Bunning: No, not that I remember.

DeMetz: Going back to when you saw Sgt. Hodges come up to her, you say the CID came up with these words that she was fighting and yelling.

Bunning: Yes.

DeMetz: What do you recall that she was doing?

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Bunning: Well, I told him that.... What I told the CID man, is that what you mean?

DeMetz: Yes.

Bunning: Well, -I said that when he first grabbed her she screamed a little, put up just a little bit of struggle. Like I said he more of frightened her right at first, but she didn't really resist after that. He wanted to put that other in there, I mean, I don't know much about that. When he came out here he told me that they was just getting information and that this information wasn't ever going anywhere, you know, and so when he wanted to put it "screaming and yelling" it didn't affect me any, that he wasn't putting in something that might be taken the wrong way, because he said that these weren't going nowhere, any of the statements were, that they just wanted information. What everyone of them has ever told me so far....not too many of them has ever told me a straight word yet. Every time they come out, they tell you about anything they want, just to try to have you say something that is, in most cases, worded the way they want it worded.

DeMetz: Of course, we don't want that today, we want your words.

Bunning: That's what I mean; he told me that wasn't going nowhere, that they were just making reports themselves and nothing was ever going to come of it, and so when he wanted to put it in his own words, it didn't bother me because I figured nothings was going to come of it and it was not going to hurt anything.

DeMetz : You understand now that Sgt. Hodges is being charged now with rape.

Bunning: Yes, that's what I understand now.

DeMetz: Knowing that, this is still what you want to say, isn't, or is it?  
Is this your description of the events that took place that day, knowing that it could go to trial on rape?

Bunning: Well, I saw him with her, but as for her putting up any struggle or anything, she didn't really struggle, just right when he first grabbed, but after that there wasn't any struggle; I can't really say whether she struggle or didn't struggle. But as I recall there wasn't hardly any struggle.

DeMetz: Okay, we appreciate what you said. Did you see Hodges give her anything, like give her any candy or cigarettes or something?

Bunning: I don't know if he did or not, like I said, she just turned around and walked away. He may have given her....

DeMetz: I'm going to have to repeat something, an aircraft just went over and the people with me didn't hear anything. I asked Mr. Bunning whether or not he saw Sgt. Hodges give this girl anything. If I may take the liberty, Mr. Bunning said that he didn't remember seeing anything. Is that correct, Mr. Bunning?

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Bunning: I can't hear you now, what did you say?

DeMetz: Would you repeat your answer to what I said.

Bunning: Yes, well, I just said I wasn't there, you know, right at the place; I left and whether or not Sgt. gave the girl anything or not, I don't know, he may have.

DeMetz: When you saw the girl walking with someone, did you see anything in her hands?

Bunning: Well, I wasn't that close; she could have been holding a pack of cigarettes like they carry or she could have been holding money or anything; I wasn't close enough to see whether she was or wasn't.

I

DeMetz: That's all the questions/have at this time.

Mosley: This is Col. Mosley again, Mr. Bunning, did you at any time see anyone point a weapon at this girl or threaten her with bodily harm with any other type weapon or instrument?

Bunning: No, not that I know of, I can't recall any.

Mosley: To your knowledge, was there any type of threat made on her life that you observed, either with other types of instruments or with their hands or by their actions?

Bunning: No, I don't recall any being made against her. I would say I'm quite sure that there wasn't any, at least while I saw her there wasn't any made against her that I recall.

Mosley: In your opinion, would there be any advantage in the group of people that you have talked to this morning, coming out to your home to talk to you further on the case.

Bunning: No, not that I know of, we've pretty well covered anything that I know of; not unless the defense, Raulerson, either him or yourself wanted to, I don't know; we've gone pretty lengthy as it is and we just keep repeating ourselves pretty near, you know. I don't know of any other things to say or if you have any other questions, we can't hardly go much deeper.

Mosley: Captain Raulerson, do you have any additional questions?

Raulerson: I don't have any right now that I know of, sir.

Mosley: Captain DeMetz?



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DeMetz: I would like to ask if he would be willing to accept another call.

Mosley: Mr. Bunning, this concludes the hearing at this time. We have nothing further to ask you. On behalf of myself personally and the Army, we would like to thank you very much for your cooperation and your time. I recognize that you are very busy there in your civilian job, and we hope that we won't find it necessary to bother you or take up too much of your time in the future.

At this time I would like to officially adjourn this meeting and turn off the tape recorder, at which time I would like to talk to you on a personal basis.

Captain DeMetz has a question to ask you in reference to another case.

DeMetz: Mr. Bunning, would you be agreeable to making a call such as we have had today on Corporal Schiel?

Bunning: On who? DeMetz: Schiele.

Bunning: Yes, I know who you mean.

DeMetz: It would be similar to what we did today, with our investigating officer and both sides.


Bunning: I don't know. I don't know what good it's going to do for him, other than what I said in the statement. I know you'd want Schiele and Lt.Col. Engle in on this, but for what I said there, I don't think we could go any more lengthy than what we already have said in the statement.

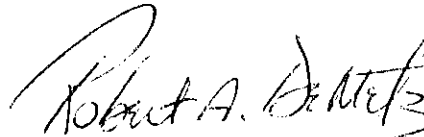
DeMetz: The defense always feels, you know, just like the CID may have put words in your mouth on this thing; they're afraid they may have on another matter, so they would like to get words coming from the telephone. They don't want to depend upon the CID, because they don't really trust them either. So, would you be agreeable to entering this?


Bunning: Okay.

DeMetz: It would be at a time that you could set up with Sgt. Doughty then, and be at your convenience next week. So I'll let you talk to him about it, if you agree. Thank you very much.

I hereby certify that the foregoing is a true and accurate transcript of the conference call placed to Mr. Dennis Bunning at approximately 0940 hours, 13 May 1970.

  
ROBERT K. RAULERSON  
CPT, JAGC  
Defense Counsel

  
ROBERT A. DeMETZ  
CPT, JAGC  
Government's Representative

  
ROBERT L. MOSELEY  
LTC, GS  
Investigating Officer

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EXHIBIT N

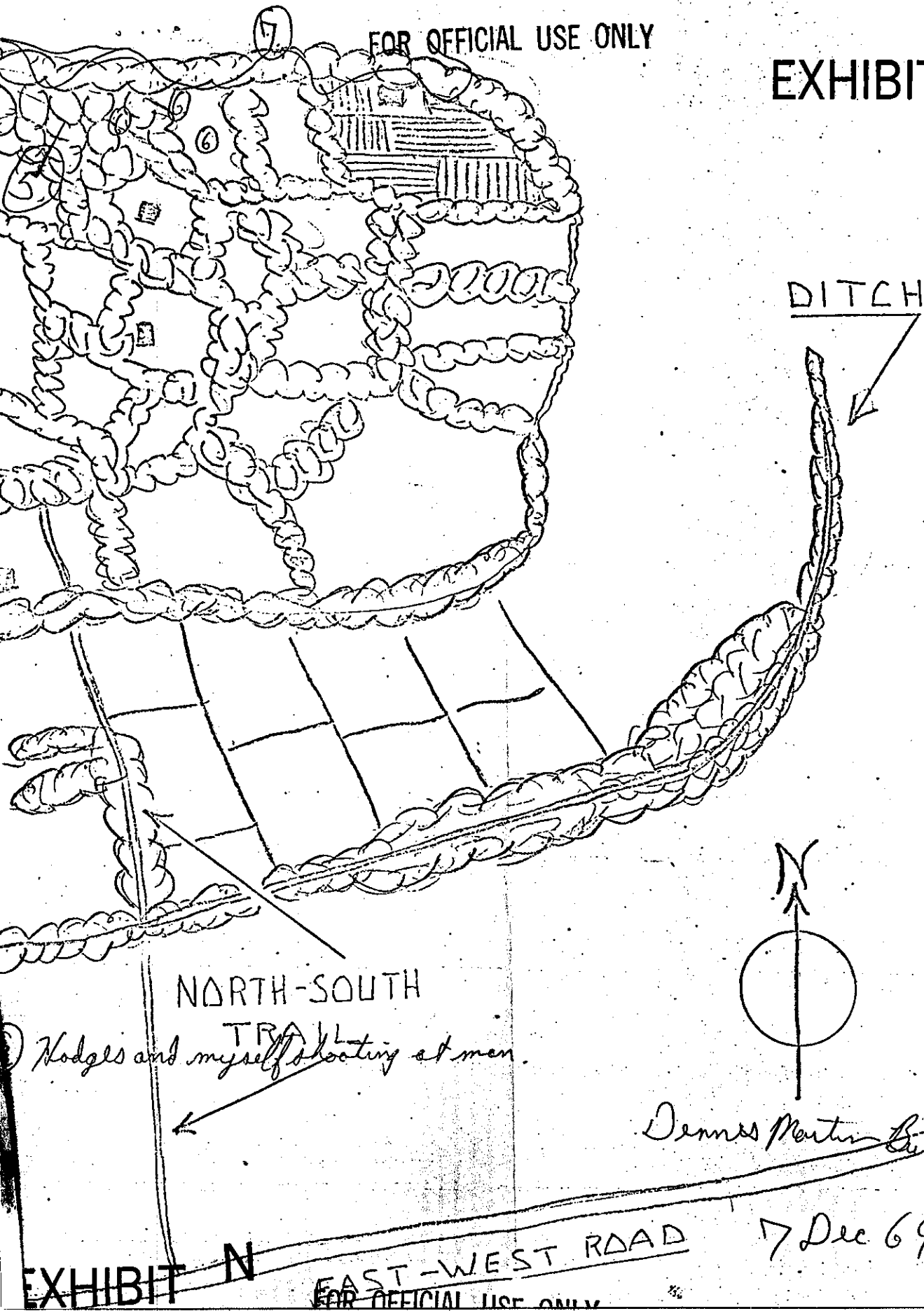
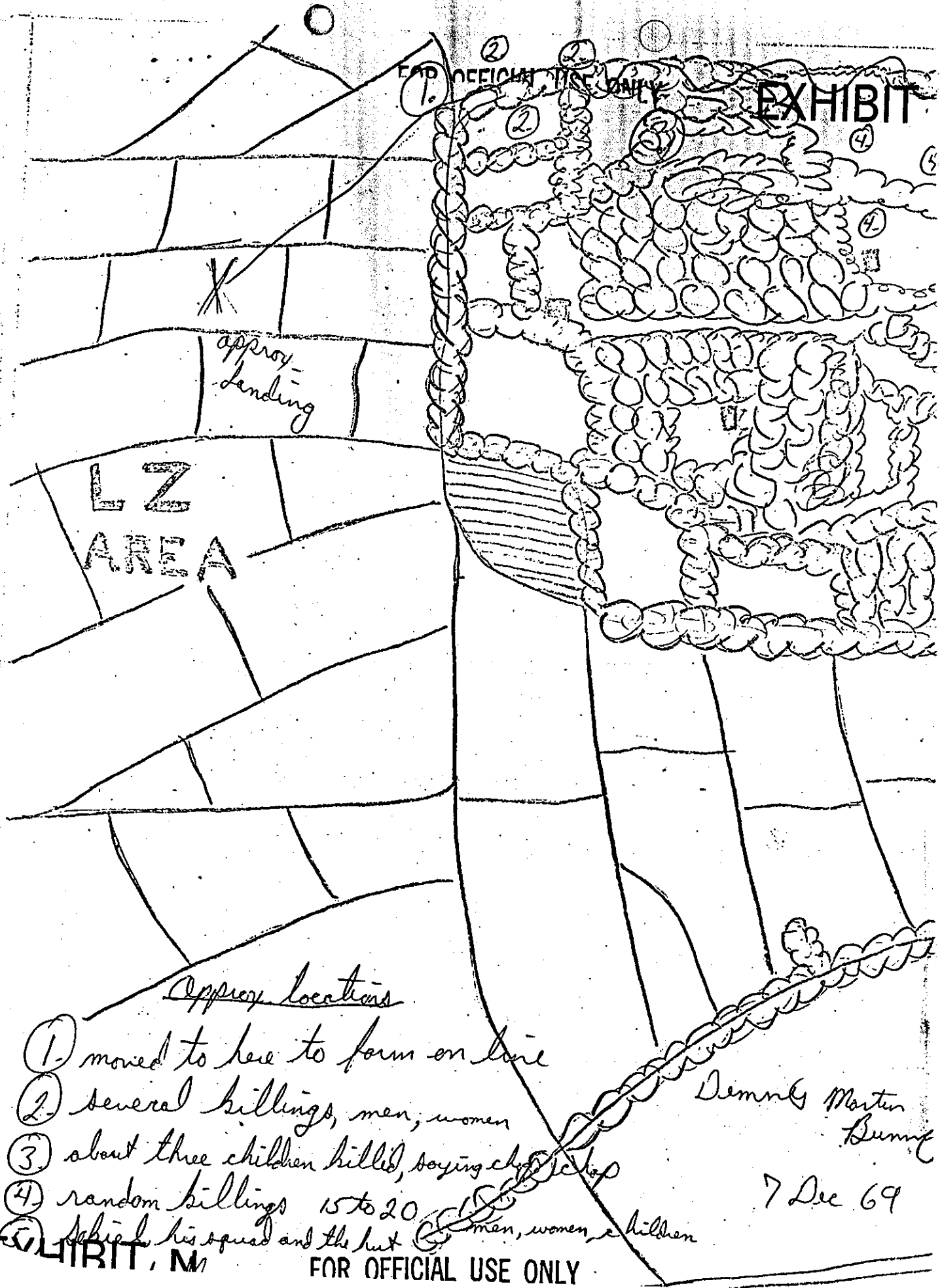


EXHIBIT N

EAST-WEST ROAD  
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7 Dec 69



① moved to here to form on line

② several killings, men, women

③ about three children killed, boying chop chop

④ random killings 15 to 20

⑤ killed his squad and the rest of men, women & children

Dennis Martin  
Bumby

7 Dec 69

EXHIBIT, M

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