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CID REPORT OF INVESTIGATION

(Military Police)

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PARING CID AGENCY 1st MP Detachment (CI) USACIDA, DA Washington, D.C. 20315	TYPE OF REPORT Completed	REPORT NUMBER 70-CID011-00007
	PERIOD COVERED 14 Jan - 24 Jun 70	DATE OF REPORT 26 JUN 1970
OFFENSE 1. Murder 2. Assault w/Intent to Commit Murder	3. Indecent Assault	

SUBJECT(S) (Last name - First name - Middle name - Grade - SSAN - Organisation or address and ZIP Code)

ROSCHEVITZ, Gary David; Civilian;

BASIS FOR INVESTIGATION

Investigation predicated upon information developed during course of investigation surrounding alleged atrocities committed by former members of Co C, 1st Bn, 20th Inf, Americal Division, APO SF 96217. (OPMG-C-69-487; 542; and 543)

INVESTIGATIVE SUMMARY

Investigation disclosed that on 16 Mar 68, during a Combat Assault Mission upon the village of My Lai (4), and the adjoining village of Binh Tay Sub-hamlet, Quang Ngai Province, Republic of Vietnam, by members of C/1/20, ROSCHEVITZ murdered and attempted to murder an undetermined number of unidentified Vietnamese men, women, and children by firing M-79 grenades into them. Further, while in the village of My Lai (4), ROSCHEVITZ murdered an unidentified Vietnamese man, woman, and two girls by shooting them in the head with an M-16 rifle.

Investigation further disclosed that former members of C/1/20, SP4 Leonard R. GONZALEZ, Mr. James M. McBREEN Jr., and Mr. John H. SMAIL, related information alleging that during the aforementioned Combat Assault Mission on 16 Mar 68, ROSCHEVITZ committed other acts of murder, i.e., killing an unidentified Vietnamese man with a bowie knife and killing a woman by firing an M-79 grenade into her back; and further, acts of indecent assault in that he (ROSCHEVITZ) forced seven unidentified Vietnamese females to completely undress by threatening to shoot them if they didn't. These allegations, however, could not be proved or disproved.

Efforts to ascertain the identities of ROSCHEVITZ's murder victims met with negative results.

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Dir, USAIRR-CRD (Repos cy) The Judge Advocate General, DA (Action cy) File	1 1 1	<p>INVESTIGATOR (Signature) <i>R.E. Sherwood R.W. Thompson</i></p> <p>TYPED NAME, TITLE, AND ORGANIZATION R.E. SHERWOOD R.W. THOMPSON Crim Inves Crim Inves</p> <p>APPROVING OFFICER (Signature) <i>Thomas L. Zane</i></p> <p>TYPED NAME, GRADE, TITLE, AND ORGANIZATION THOMAS L. ZANE LTC, MPC Commanding, 1st MP Detachment (CI)</p>

DA FORM 2800 1 JAN 68

REPLACES EDITION OF 1 JAN 64, WHICH IS OBSOLETE.

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CID REPORT OF INVESTIGATION - ADMINISTRATIVE DATA
(AR 195-10 - TB PMO 3)

REPORT NUMBER

70-CID011-00007

OBJECT(S) (Show last name and following personal data in order listed: Service number; Security clearance; DOB; POB; Sex; Race; Height; Weight; Hair color; Eye color; Build; Identifying marks; Former name, aliases, or service number; Disposition of subject; Results of repository check.)

ROSCHEVITZ: 19 Feb 43; Kansas City, KS; M; Cauc; 71 in; 230 lbs; blond hair; blue eyes; heavy build; 3" scar on left hand and 5" scar on left forearm; former ASN: US 55 987 804; presumed residing listed address; USAIRR - Subject of CID ROI 70-CID011-00012, completed, 19 Jun 70, Washington, D.C., offense of Murder (founded).

VICTIM(S) (Show full name and following personal data in order listed: SSAN; Service number; Organization or address; Position occupied; Grade or title; Sex; Race; DOB; POB; Former military rank or service number; Location of victim.)

UNIDENTIFIED VIETNAMESE NATIONALS (men, women, & children) (Deceased); residing at or near My Lai (4) and Binh Tay Sub-hamlet, Quang Ngai Province, Republic of Vietnam on 16 Mar 68; M & F; Mongolian; remains of victims presumed interred in unmarked graves in the vicinity of My Lai (4), Quang Ngai Province, Republic of Vietnam. (NFI)

AGGREGATE DOLLAR VALUE OF PROPERTY

	STOLEN	LOST	DAMAGED	RECOVERED
US GOVT				
PRIVATE				

COORDINATION

INTELLIGENCE	DATE INITIAL NOTIFICATION	NAME OF PERSON RECEIVING NOTIFICATION
JUDGE ADVOCATE	DATE CASE DISCUSSED 24 Jun 70	NAME OF PERSON DISCUSSED WITH MAJ David J. PASSAMANECK
	DATE INITIAL NOTIFICATION	NAME OF PERSON RECEIVING NOTIFICATION
PROVOST MARSHAL	DATE COMPLETED REPORT DISCUSSED 26 JUN 1970	INSTALLATION PROVOST MARSHAL APPROVAL HENRY H. TUFTS, Colonel, MPC, Commanding, US Army CID Agency
OTHER	SPECIFY AGENCY, DATE, PERSON NOTIFIED	

TOTAL AMOUNT OF CID FUNDS EXPENDED ON INVESTIGATION (Enter on repository and file copies only) \$ None

REMARKS

REVIEW

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SUBSTANTIATION

Mr. Roy L.A. WOOD, a former member of C/1/20, stated that during the Combat Assault Mission upon the village of My Lai (4), he and other soldiers removed an old Vietnamese man, his wife, and two girls from a hut when a stocky PFC, accompanied by another platoon member, Mr. Varnado (NNN) SIMPSON, approached. The stocky PFC (presumed to be ROSCHEVITZ) unsuccessfully attempted to grab his (WOOD's) rifle, simultaneously shouting, "Kill them all. Don't turn them over to the company, kill them all." The soldier (presumed to be ROSCHEVITZ) then grabbed SIMPSON's M-16 rifle and shot the man, woman, and two girls in the head killing them. WOOD elaborated that he believed that other platoon members; Charles (NNN) SLEDGE, Harry (NNN) STANLEY, and Allen J. BOYCE, witnessed the murders. Mr. James R. BERGTHOLD, a former member of C/1/20, stated that during the mission he and Robert E. MAPLES came upon four members of the 2d Platoon, one of whom was blond and heavy set, as a Vietnamese man came out of a hut. One of the four soldiers said, "Shoot the man" and one refused. The blond haired soldier, who was armed with an M-79 Grenade Launcher, traded for an M-16 rifle and shot the Vietnamese man in the head. BERGTHOLD added that he recalled that half of the man's head was blown off and further recalled seeing his "brains flying all over the place." BERGTHOLD elaborated that the mother and two children then came out of the hut and the blond haired soldier shot them also. SIMPSON stated that during the Combat Assault Mission he and ROSCHEVITZ came upon WOOD and STANLEY who were detaining about four or five Vietnamese. ROSCHEVITZ said something about killing them, grabbed his (SIMPSON's) M-16 rifle, placed it on automatic fire, and shot and killed the detained Vietnamese. SIMPSON elaborated that the Vietnamese were not armed and were not trying to escape. STANLEY was interviewed and asked, "Did you see an old man taken out of a hut and shot?" He responded, "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." Mr. Johnnie E. TUNSTALL, a former member of C/1/20, stated that subsequent to My Lai (4), he heard from ROSCHEVITZ, and others, about how ROSCHEVITZ hit a child and when a man ran out of a hut to protect it, ROSCHEVITZ shot the man in the head and killed him. Further, he also heard that a woman and two children ran out of the hut and they were also shot and killed, however, he did not know who shot them. PVT Dean (NNN) FIELDS Jr., a former member of C/1/20, stated that he witnessed ROSCHEVITZ fire an M-79 grenade into a group of about twelve Vietnamese men, women, and children after they were rounded up in the village of My Lai (4) and formed into groups. FIELDS elaborated that four or five of the Vietnamese were killed outright and the rest were wounded. SGT Charles E. HUTTO, a former member of C/1/20, stated that within the village of My Lai (4), he witnessed ROSCHEVITZ's firing two M-79 grenades into a group of Vietnamese men, women, and children who were sitting in a clearing. HUTTO added that all of the Vietnamese were either killed or wounded. Mr. James M. McBREEN, a former member of C/1/20, stated that within the village of My Lai (4), he witnessed ROSCHEVITZ fire two M-79 grenades into a group of about six to eight Vietnamese men, women, and children. McBREEN added that as far as he knew the entire group was killed. McBREEN elaborated that he heard rumors that ROSCHEVITZ stabbed an old Vietnamese man with a bowie knife. Mr. John H. SMAIL, a former member of C/1/20, stated that he heard that ROSCHEVITZ stabbed and killed an unidentified Vietnamese man with a bowie knife, allegedly belonging

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SUBSTANTIATION: Continued

to SGT Esequiel E. TORRES, a member of the 2d Squad, 2d Platoon. Mr. George A. GARZA, a former member of C/1/20, stated that in a small village about 500 meters north of My Lai (4), presumed to be Binh Tay Sub-hamlet, he witnessed ROSCHEVITZ fire an M-79 grenade into a group of Vietnamese that were huddled together. GARZA elaborated that the grenade struck somewhere in the middle of the group. Mr. Dennis M. BUNNING, a former member of C/1/20, stated that in a village just north of My Lai (4), presumed to be Binh Tay Sub-hamlet, he witnessed ROSCHEVITZ fire several M-79 grenades into Vietnamese men, women, and children after they were formed into groups by different squads of the 2d Platoon. BUNNING elaborated that most of the Vietnamese were either killed or wounded. SP4 Leonard R. GONZALEZ, a former member of C/1/20, stated that in the village of My Lai (5) (Binh Tay Sub-hamlet), he came upon Vietnamese women, ranging in age from about eighteen to thirty five years old. When questioned by GONZALEZ, ROSCHEVITZ related that he got the women to strip their clothes off by telling them that if they didn't, he would shoot them. GONZALEZ stated that ROSCHEVITZ further related that when he (ROSCHEVITZ) asked one of the women to have sexual intercourse with him, they all became scared, panicked, and started yelling and screaming at which time he killed them by firing an M-79 grenade into them. GONZALEZ elaborated that all of the bodies were filled with small pellet-like holes and that in his opinion, ROSCHEVITZ fired more than one grenade into them. Mr. Anthony E. BROUSSARD, a former member of C/1/20, stated that Tom C. MAKEY, and Curtis L. FRITTS, related to him that ROSCHEVITZ killed a Vietnamese woman during the Combat Assault Mission upon the village of My Lai (4) by firing an M-79 grenade into her back. Mr. Roy F. TREVINO, a former member of C/1/20, stated that he heard from an unknown source about how ROSCHEVITZ shot some people. TREVINO did not elaborate. ISG Jay A. BUCHANON, former Platoon Sergeant of the 2d Platoon, stated that he did not see or hear of ROSCHEVITZ's firing his M-79 Grenade Launcher into a group of Vietnamese during the Combat Assault Mission at My Lai (4). BUCHANON was asked, "Did you see or hear of ROSCHEVITZ firing his M-79 with a fleshette into a group of women?" He replied, "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." ROSCHEVITZ declined to make a statement. An investigator's statement, clarifying investigative activity not elsewhere covered in this report, was prepared by Crim Inves THOMPSON.

Through interviews of numerous Vietnamese Nationals, who resided at My Lai (4) on 16 Mar 68, it was determined that an estimated 90+ men, women, and children were killed in the northern half of the village, the Area of Operations of the 2d Platoon, of which ROSCHEVITZ was a member. A map of My Lai (4) depicting the 2d Platoon's Area of Operations in which the 90+ Vietnamese were killed, and the direction of travel of the 2d Platoon through My Lai (4) and Binh Tay Sub-hamlet, is attached.

Efforts to ascertain the identities of ROSCHEVITZ's murder victims met with negative results.

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EXHIBITS

1. ATTACHED

- A. Statement of Mr. WOOD, 28 Oct 69 (cy)
- B. Statement of Mr. BERGTHOLD, 3 Nov 69 (cy)
- C. Statement of Mr. SIMPSON, 9 Nov 69 (cy)
- D. Statement of Mr. STANLEY, 14 Oct 69 (cy)
- E. Statement of Mr. TUNSTALL, 25 Nov 69 (cy)
- F. Statement of PVT FIELDS, 13 Jan 70 (cy)
- G. Statement of PVT FIELDS, 1 Apr 70 (cy)
- H. Statement of SGT HUTTO, 17 Nov 69 (cy)
- I. Statement of Mr. McBREEN, 24 Feb 70 (cy)
- J. Statement of Mr. SMAIL, 14 Dec 69 (cy)
- K. Statement of Mr. GARZA, 8 May 70 (cy)
- L. Statement of Mr. BUNNING, 7 Dec 69 (cy)
- M. Statement of SP4 GONZALEZ, 28 Feb 70 (cy)
- N. Statement of Mr. BROUSSARD, 6 Jan 70 (cy)
- O. Statement of Mr. BROUSSARD, 20 Feb 70 (cy)
- P. Statement of Mr. TREVINO, 15 Jan 70 (cy)
- Q. Statement of ISG BUCHANON, 7 Mar 70 (cy)
- R. Statement of Crim Inves THOMPSON, 24 Jun 70 (cy)
- S. Map of My Lai (4) depicting the 2d Platoon's Area of Operations in which the 90+ Vietnamese were killed and the direction of travel of the 2d Platoon through My Lai (4) and Binh Tay Sub-hamlet (cy)

2. NOT ATTACHED

None.

Originals of Exhibits A thru Q and S are retained in the files of this office. Original of Exhibit R is attached to the original copy of this report for the US Army Investigative Records Repository, Fort Holabird, MD.

WITNESSES

- Mr. WOOD, Roy Lee Augusta,
Mr. BERGTHOLD, James Robert,
Mr. SIMPSON, Varnado (NMN),
Mr. STANLEY, Harry (NMN),
Mr. TUNSTALL, Johnnie Elbert,
PVT FIELDS, Dean (NMN) Jr.,
Hood, TX , HHC, 2d Bde, 1st Armd Div, Fort
- SGT HUTTO, Charles Edward,
Mr. McBREEN, James Michael Jr.,
Mr. SMAIL, John Henry,
Mr. GARZA, George Arsenio,
Mr. BUNNING, Dennis Martin,
SP4 GONZALEZ, Leonard Robert,
Regt, Fort Lewis, WA , HQ, 3d US Army, Fort McPherson, GA
- , L Troop, 3d Squadron, 3d Cav

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INVESTIGATOR's CONCLUSIONS

- a. ROSCHEVITZ did; at My Lai (4), Quang Ngai Province, Republic of Vietnam, on or about 16 Mar 68, with premeditation, murder an undetermined number of unidentified Vietnamese Nationals (men, women, & children) by means of firing grenades into them with an M-79 Grenade Launcher.
- b. ROSCHEVITZ did, at My Lai (4), Quang Ngai Province, Republic of Vietnam, on or about 16 Mar 68, with premeditation, attempt to murder an undetermined number of unidentified Vietnamese Nationals (men, women, & children) by means of firing grenades into them with an M-79 Grenade Launcher.
- c. ROSCHEVITZ did, at Binh Tay Sub-hamlet, Quang Ngai Province, Republic of Vietnam, on or about 16 Mar 68, with premeditation, murder an undetermined number of unidentified Vietnamese Nationals (men, women, & children) by means of firing grenades into them with an M-79 Grenade Launcher.
- d. ROSCHEVITZ did, at Binh Tay Sub-hamlet, Quang Ngai Province, Republic of Vietnam, on or about 16 Mar 68, with premeditation, attempt to murder an undetermined number of unidentified Vietnamese Nationals (men, women, & children) by means of firing grenades into them with an M-79 Grenade Launcher.
- e. ROSCHEVITZ did, at My Lai (4), Quang Ngai Province, Republic of Vietnam, on or about 16 Mar 68, with premeditation, murder an unidentified Vietnamese man, woman, and two girls by means of shooting them in the head with an M-16 rifle.
- f. McBREEN and SMAIL's allegation that ROSCHEVITZ stabbed and killed an unidentified Vietnamese man with a bowie knife could not be proved or disproved.
- g. GONZALEZ's allegation that ROSCHEVITZ forced Vietnamese women to completely undress, and subsequently shot and killed them, could not be proved or disproved.

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WITNESSES: Continued

Mr. BROUSSARD, Anthony Eric,
Mr. TREVINO, Roy Fred,
ISG BUCHANON, Jay Allan,

, C/3/1, USATCI, Fort Bragg, NC

UNDEVELOPED LEADS

70. As listed in investigator's statement of Crim Inves THOMPSON, 24 Jun

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