

UNITED STATES )

v. )

ORDER

WILLIAM L. CALLEY, JUNIOR )  
FIRST LIEUTENANT )  
U. S. ARMY )

The court finds that the following orders are necessary and proper for the purpose of governing, controlling and regulating the conduct of this trial and all proceedings related thereto.

I

Courthouse premises are designated as the rooms and corridors located in the westerly portion of Building #5, Fort Benning, Georgia, from the corridor door leading from the Staff Judge Advocate offices and Inspector General's offices, excepting Inspector General's office, Room 15, and Rooms 11-13 which have been assigned exclusively for use by the news media. The Sigerfoos Street entrance and all fenced, roped or marked areas adjacent thereto shall be kept free and clear for the purpose of unencumbered ingress and egress thereto by persons employed therein and the participants of this trial.

II

To preclude Lieutenant Calley from being harassed in or about the designated court premises, Lieutenant Calley, by agreement of defense counsel, will enter and exit from the door of Building #5 facing Sigerfoos Street. Excepting military police, no persons will be permitted on the south side of that entrance way. On the north side of the sidewalk leading into that entrance way, the news media and general public will be permitted, provided they remain within the clearly marked areas. Further, Lieutenant Calley will have free and unobstructed use of the heretofore designated courthouse premises, without interferences of any kind by any person or persons. Should any person or persons violate this provision in any manner prior to termination of this case, the military police will promptly apprehend such violator and cause an expulsion order from the Fort Benning military reservation to be issued forthwith.

III

No cameras, recording devices, or any electronic or mechanical devices or equipment shall be used within the courthouse premises by any person before or during the trial or any related proceedings, or at any recess or adjournment.

IV

The official court reporters reporting these proceedings are prohibited from selling, giving, furnishing, or disseminating any transcript of these proceedings to any person other than counsel for the defense and government, the accused, and those persons hereinafter specifically designated by the court.

ADD EX 36

V

No person shall be permitted to enter the courtroom after the commencement of the session, nor shall he be permitted to leave except during a recess, after adjournment, or in a case of an emergency. Persons departing the courtroom at the time of recess or adjournment shall not leave their seats until the military jury has fully retired from the courtroom. Persons who violate this Order shall thereafter be barred from the courtroom, except upon showing of good cause. The provisions of this paragraph shall not apply to courtroom personnel or staff members representing the prosecution or defense and conducting official business.

VI

Attendance in the courtroom during the trial proceedings shall be limited to the seating accommodations of the courtroom. A specified number of seats will be reserved for the news media. No general public seats will be reserved for any individual or organization, except 5 seats in the front row are reserved for use by persons designated by Lieutenant William L. Calley, Jr. Should Lieutenant Calley not use these seats, they will be given to the general public on a day-to-day basis.

VII

This court does not possess the personnel necessary to handle or control the news media or the general public. Therefore, the Post Information Officer, Lieutenant Colonel Douglas B. Tucker, is given the responsibility for determining the accreditation and the assignment of the reserved seats for the news media. Credentials for news media will only be used by accredited representatives of the news media to whom issued. The Provost Marshal Operations Officer, Lieutenant Colonel John J. Rexford, is given the responsibility for allocating the seats for the general public. Recognizing the problems inherent in controlling the public and the limited Provost Marshal resources, the allocation of seats for the general public will not be in order of their appearance but will be accomplished in the most equitable manner possible.

VIII

The bar of the court within the rail is reserved for court personnel and such persons as counsel may desire to be within the bar for consultation purposes. Members of the general public and members of news media shall not be permitted inside the bar railing at any time, whether the court is in session or not.

IX

No one except the attorneys of record, witnesses while testifying, the accused, court personnel, and other persons specifically authorized by the court may handle any exhibits.

X

Witnesses, military jurors, court personnel, all counsel participating in this case and their employees, and all persons working in Building 5, Fort Benning, Georgia, who have participated in or who are expected to parti-

cipate in the processing of this trial are forbidden from making any public disclosure of any kind concerning the evidence in this case from this date forward and until this case is terminated by the findings or sentence by the military jury, should the latter occur, or other legal determination which would finally terminate these proceedings.

XI.

All witnesses in this case are ordered to refrain from reading, looking at or listening to any accounts of what other witnesses have testified to in this or any other allied My Lai (4) judicial proceedings.

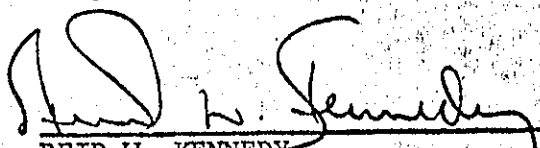
XII

The Code of Professional Responsibility of the American Bar Association is hereby incorporated in and made a part of this Order.

XIII

This Order shall be in force until the conclusion of this trial by findings or sentence or further order of this court.

Dated this 20 day of January, 1970.

  
REID W. KENNEDY  
Military Judge