

# Excerpts From Testimony of Captain Medina

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FORT BENNING, Ga., March 10—Following are excerpts from testimony today by Capt. Ernest L. Medina at the court-martial of First Lieut. William L. Calley Jr.

Q. All right. Now, when did you first find out about the proposed operation on Mylai 4? A. The first information that I received about an operation that was to be conducted against the village of Mylai 4 was one or two days prior to the operation.

Q. Either the 14th or the 15th of March, is that it?

A. The 14th or the 15th of March, yes, sir.

Q. From whom did you receive this information?

A. The first information that I had received was from Major Calhoun, who told me that Colonel Barker had received permission, from the South Vietnamese, the A.R.-V.M.'s, to conduct a combat operation out of our area of operations. They had to get permission, since it was not in the Task Force Barker area.

Q. Was this a conversation between you and Major Calhoun or was this a briefing from Major Calhoun to the company commander?

A. No, sir, it was like a

warning briefing. He told me that we were going to conduct a combat operation in the village of Mylai 4, that Colonel Barker was getting permission, and that he would take me on an aerial reconnaissance shortly.

Q. All right. Now let's come to the briefing, then, that you attended. Would you describe in as much detail as you recall what Colonel Barker had to say at that briefing and tell us who was present also.

## Briefing Conducted

A. Captain Michaels, myself were there, Major Calhoun, Colonel Barker and the briefing primarily was for the

new brigade commander, Colonel Henderson. The briefing consisted of the enemy situation. Intelligence reports were that the 48th V.C. Battalion was located at the village of Mylai 4 and that we could expect to be outnumbered two to one and that we could expect a heavy engagement.

He went on to explain that the artillery preparation was going to be placed onto the village beginning at 0720 hours in the morning and that the combat assault was to begin at 0730 hours. This was being done primarily because intelligence reports indicated that the women and children in the village of Mylai would be going to the market at Sontan or Quangngai.

Q. Would you continue then? What else — in time sequence, what else occurred with regard to briefings?

A. I was told that the 48th V.C. Battalion would be there and that we would be outnumbered. That I was going to have a double coverage of gunships for this operation. That the artillery preparations would be placed on to the village and that is about it, sir.

Q. Well, did you conduct any briefings? A. Yes, sir.

Q. Tell us about that. A. On the evening of 15th March, I had gathered my entire company in the vicinity of my command post and I briefed the entire company on the upcoming operation.

Q. All right. Now, would you tell us what you said to

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your company when you had them assembled?

## Company Instructed

A. The briefing that I conducted for my company was that C company had been selected to conduct a combat assault operation on to the village of Mylai 4 on the morning of the 16th of March of 1968. I gave them the enemy situation, intelligence reports. Good intelligence reports were that the 48th V.C. battalion was located at the village of Mylai 4. I told them that the V.C. battalion was approximately 250 to 280 men and that we would be outnumbered approximately two to one. I told them that even though we were outnumbered, that we had double coverage of gunships that were being provided, and that the artillery was being placed on the village. And that they would help make up for the difference in ratio between the pany.

I told the people that this would give them a chance to engage the 48th V.C. Battalion; that the 48th V.C. battalion is the one we had been chasing around the task force Barker area of operation, and we would finally get a chance to engage them in combat. And we would be able to destroy the 48th V.C. Battalion.

Q. What did you tell them about taking prisoners?

A. The information that I gave, also in the briefing to the company, was that the 48th V.C. Battalion was located at the village of Mylai

4, and that the intelligence reports also indicated that the innocent civilians or non-combatants would be gone to market at 0700 hours in the morning. I did not make any reference to the handling of prisoners.

Q. All right. Were any questions asked of you at that briefing? A. Yes, sir.

Q. Do you recall what they were? A. Yes, sir. One of the questions that was asked me at the briefing was, do we kill women and children?

Q. What was your reply?

A. My reply to that question was, "No, you do not kill women and children. You must use common sense. If they have a weapon and are trying to engage you, then you can shoot back. But you must use common sense."

Q. All right, is there anything else that you recall about the company briefing?

A. Since I told them that we had permission to destroy the village by burning the village, the hooches, and by killing the livestock and closing the wells and destroying the food crop, one individual asked me where we could obtain some poison to put in the wells.

I told him that we did not have any poison available, that that was not the thing to do. The thing to do would be to cave in the sites of the well, to close it. If they couldn't do that, to cut banana stalks, trees, banana trees and whatnot to dump them into the well to close it up.

Q. Were any provisions

made by you for the treatment of any wounded Vietnamese? A. No, sir.

Q. Was there any provision made for the capture and collection of the Vietnamese in that village?

A. There were no instructions given as far as the capture or collection of any non-combatants in the village of Mylai 4. It was standard procedure in other operations that we had conducted that the sweep elements, when they moved through the village, they would move through as rapidly as possible, pushing any of the inhabitants to the far side of the village, collecting them in an open area.

## Operation Described

Q. Would you tell us in your own words how the operation went on the 16th, from the time of liftoff?

A. The combat assault began on the morning of the 16th, I believe somewhere between 0720 and 0725, I don't remember the exact time. I was on the first lift in the fourth helicopter with my command group. The helicopters lifted off in a south-westerly direction.

As we were making our swing somewhere over the city of Quangnai in a south-easterly direction, from my position in the helicopter in the door, I looked out toward the village, and I could see the artillery rounds landing onto the village.

We started our turn over the river, approaching the landing zone from the south. Immediately, the gunships

began their suppressive fire. As the helicopters touched down, everybody disembarked. I remained in the center of the landing zone with my command group. I did not hear the familiar sound of incoming fire from somebody shooting at you, or a rifle shot cracking over your head.

## Sweep Begun

I remained at the LZ waiting for the second lift to come in. As they approached, I popped smoke to identify the landing zone. The second lift discharged the second platoon, and they immediately moved to the left, which was the northern portion of their area in the village. And they began their sweep into the village of Mylai 4.

Q. Did you have any conversation with Lieutenant Calley at that time? A. No, sir. Q. Did you have a meeting with the platoon leaders?

A. No, sir. Q. Did you eat lunch with Lieutenant Calley or Lieutenant Brooks, Lieutenant Cross? A. The only officers that I recall being there when I ate lunch was myself, Lieutenant Alaux and possibly Lieutenant LaCross.

Q. Did you have any discussion around this lunch time with Lieutenant Calley or with any of your other platoon leaders concerning body count? A. No, sir.

Q. All right. Now, did you at any time on the 15th of March or at any time on the 16th of March order or direct Lieutenant Calley to kill or waste any Vietnamese People? A. No, sir.