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MEDINA DEFENDS ACTIONS AT MYLAI

Denies Seeing Ditch Where Troops Slew Civilians

By HOME BIGART

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FORT MCPHERSON, Ga., Sept. 16 — Capt. Ernest L. Medina testified at his murder trial today that he never saw the ditch at Mylai where group after group of South Vietnamese civilians were herded and slain by his troops.

He said he was unaware of the enormity of the slaying until more than a year later when he was questioned by the inspector general.

But the 35-year-old Mexican-American officer seemed confused when confronted with statements he had made last November to an Army lie detector expert. During that interview the Captain said that he became aware soon after his company entered the hamlet of Mylai 4 on a search and destroy mission March 16, 1968, that he had "lost control" of his men and that "innocent civilians" were being killed.

Captain Medina is charged with the responsibility for the murder of at least 100 noncombatants, mostly women and children; with the specific murders of a woman and a small boy, and with assault on a prisoner.

During his three hours on the witness stand, Captain Medina said that he had issued a cease-fire order shortly after he saw a group of corpses on a trail and after he witnessed the shooting of the boy.

He did not fire at the boy, the captain testified, but he conceded that he may have uttered a confused shout that his men might have mistaken as an order to shoot.

He had shot the woman, the captain admitted, and he portrayed the incident as a justifiable battlefield homicide. She lay unarmed in a rice paddy, he recalled but added that he had been ordered to investigate a "VC [Vietcong suspect with weapon]."

So he said that he had shot the woman when he thought he saw a movement of her body out of the corner of his eye and the notion flashed through his mind, "My God, she's got a hand grenade."

Regarding the prisoner he was charged with assaulting on the night after the Mylai incident, Captain Medina said he had merely wanted to frighten the man into talking. He said he had tied the prisoner to a tree and then fired two shots into the tree just over the prisoner's head.

Interrogation Described

The defense counsel, F. Lee Bailey, asked, "Did you eventually point the rifle right between his eyes?"

"Yes sir," the Captain replied.

"Did you intend to kill him then?" Mr. Bailey asked.

"No, sir, my weapon was on safety when I pointed it squarely between his eyes," the captain said. "I would not have fired and killed him, sir."

Captain Medina said he had been told by the Task Force intelligence officer, Capt. Eugene M. Kotouc, that it was quite proper to threaten a prisoner with violence during interrogation "so long as you did not intend bodily harm on the individual, sir."

interrogation scene. He said Captain Medina described the his men had brought in four prisoners: a female nurse and three males of military age.

"Well, I separated the individuals in a diamond formation," Captain Medina began and added:

"The female was up towards the north. The elderly gentleman, rather distinguished looking, was towards the south. I had one towards the east and one toward the west in a diamond shape.

bering bubbles of saliva out of her mouth. And I called my medica and I said, 'There's nothing wrong with her. Do her nose and she stopped.'

got her, she did not have any blouse on. So I took one of the blouses off the VC prisoner and I gave it to her to cover herself up.

"And then we started interrogating the individual toward the west. And he had a billfold with him. The only thing that we found in there in the seam of the billfold was a small piece of embroidered cloth that said words to the effect: 'Honor for the VC' or 'Death before dishonor' or 'Honor for the VC cause.'

"And the interpreters says this guy is a VC, so we started talking to him, trying to get information from him. At that time, the one that was to the south and almost directly behind me just blurted something out very sharp in Vietnamese.

"I didn't understand what he said, but by the tone of it, I knew it was a command of some sort, at which time I just spun around and told him in English to shut up, and I hit him with the back of my hand across the forehead, and it broke the skin a little bit and blood started running down his nose.

"He had his hands tied behind his back. Sergeant Phu [an interpreter] started talking to him, and Sergeant Phu says, 'I think this guy is somebody important because he doesn't look like a rice farmer.'

"So we kept asking him questions, and Sergeant Phu says, 'I think if you scare him and you shoot close by him that maybe we can get some information from him.'

"So at that time, I put him up against a coconut tree, sir."