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Winter Soldier Investigation can be
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'The summer soldier and the sunshine patriot will in this crisis shrink from the service of his country'

STEPHEN JAFFE

The declassification of Operation Dewey Canyon came during the Winter Soldier Investigation last week, four days before the U. S. Government was to break the story and end the "news blackout" it has imposed on the American press. The "news blackout" was ordered by General Creighton W. Abrams, U. S. commander in Vietnam, at the direction of President Nixon, in order to cover-up the preparations for "operation Dewey Canyon II," an incursion by Allied forces into Laos.

Such an incursion was in sharp contrast, many Senators and Congressmen were to passively note, to U. S. policy already laid down on Vietnam. After the Cambodian invasion last year, strict guidelines were established, to reinforce those already existing in the Constitution which had been ignored by the President, but these guidelines were neglected by the President again in his plans for Operation Dewey Canyon II.

While the hearings in Detroit of The Winter Soldier Investigation proceeded, thousands of troops were massing along the Laotian border, readying for an invasion which was to violate U. S. policy in Vietnam without any attempt by the President to appeal to Congress for the approval of such an expansion to the war.

At the Winter Soldier Investigation, on Sunday, January 31, witness Gordon P. Stewart, 23, of Royal Oaks, Michigan, a former Sergeant (E-5) (See Partial Testimony List) testified that he took part in a "search-and-destroy" mission inside Laos (one which is designated to search out the enemy and kill him, also destroying any other means of logistical support, i.e., food, livestock, housing). Stewart's story was corroborated at the WSI hearings by Christopher M. Soares, 20, of New York. Soares was a corporal (E-5) (See Partial Testimony List) in the same division as Stewart, the 3rd Marines, and he told of search-and-destroy missions from Quang Tri Province into Laos during February 1969 and subsequent months.

While the Pentagon refused to answer reporters' questions for comment on The Winter Soldier Investigation the *Detroit Free Press* was doing an invaluable service to the people by checking and verifying the identities of witnesses and, as in the case of Operation Dewey Canyon, finding new witnesses.

Stewart and Soares were further corroborated by Donald Vasend of Minneapolis and Gary Knight of Denver. When contacted by the *Detroit Free Press* they said they had never heard of WSI but that Operation Dewey Canyon "did indeed include several days of combat inside Laos." They said they were acquaintances of Stewart in Vietnam but added that

they had lost touch with him since leaving Vietnam over a year ago. They were members of separate Marine companies. (Within the 3rd Marine Division.)

Still another witness, Paul C. Hassler Jr., 20, a student from New Castle, Delaware, testified that on approximately February 25, 1969, his platoon "entered Laos on a search-and-destroy mission as part of Operation Dewey Canyon."

The significance of the veterans' testimony became clear just this week when the Pentagon disclosed that the current invasion into Laos was "code-named Dewey Canyon II" known only to a few high-ranking Americans. So blatant was the President's iron-handed disregard for the people and their representatives for this Laotian invasion, that even the Joint Chiefs of Staff were left out of the decision.

In a Washington dateline story by Warren Rogers of the *Los Angeles Times*, it was disclosed that "the Joint Chiefs of Staff apparently have so little to do with the current big offensive in Indochina that one of them took off at the start of it for a 17-day trip to the Near and Middle East."

The article went on to detail a fact which should send shivers up the spine of every American, "General William C. Westmoreland, Army Chief of Staff and former U. S. Commander in Vietnam, is in India for a week-long inspection tour. He left Washington Monday, two days after 9,000 U. S. soldiers launched a drive in northernmost South Vietnam, supporting 20,000 South Vietnamese poised to attack enemy bases in Laos."

The dictatorial action swept the rug

out from under more than one provision of the people's Constitutional protection. One U.S. official was quoted as saying, "During the six-day blackout Abrams imposed on the drive, he was so secretive that even the Joint Chiefs were not kept up to date."

Whether due to the testimony of the Winter Soldier Investigation or not, the U. S. Government provided their own corroboration by calling the current invasion of Laos "Dewey Canyon II," indicating that there had to have been a "Dewey Canyon I" and ironically, at the WSI hearings, Vietnam veterans Stewart, Soares, Hassler, Vasend and Knight had just declassified that operation.

All five men agreed that the search-and-destroy operation penetrated at least a mile inside Laos along Highway 922, and some of them thought the incursion went even further across the South Vietnamese-Laos border.

Contrary to repeated reports from

American correspondents in Laos, the Pentagon has consistently denied it for several years.

"Except in rare cases where troops have been engaged in 'hot pursuit' of enemy troops that carried them near or just over the border, we have never had ground troops in Laos." A Pentagon spokesman at the Southeast Asia desk told journalist William Schmidt of the *Detroit Free Press*.

Stewart, Soares, Hassler, Vasend and Knight all made it clear that they had crossed the border on missions which were by direct orders rather than as a result of "hot pursuit" of the enemy.

"Our second night in Laos we ambushed a North Vietnamese convoy coming down Route 9," Stewart testified. "We didn't take one casualty but destroyed the whole convoy, which was carrying troops, telephone poles, weapons and engineering equipment."

William Schmidt confirmed with the Pentagon that both Stewart and Soares are Marine Veterans and were attached to units which they disclosed participated in Operation Dewey

Canyon between January 22 and March 16, 1969 as they had testified.

Vasend said that another Marine asked a major if they were going to get expeditionary medals for invading another country. The major said bluntly that no one was to talk about the operation, according to Vasend.

Although a Marine colonel at the Pentagon said emphatically last week that Dewey Canyon "was strictly a Vietnamese operation in Vietnam," the veterans all agreed that the operation which took them over the border into Laos was a military success.

More than 1,350 enemy troops were killed and 525 tons of weapons and ammunition captured, according to the Pentagon's figures on the incursion by "Vietnamese." Official Pentagon records list 121 U.S. and South Vietnamese casualties for that operation. One wonders how the U.S. troops could have been injured in an operation they had not undertaken.

Northern Marine, a military magazine, told of the operation's success in an issue last year and noted that one reason the "regimental-size operation was launched was a heavy increase of vehicular traffic entering Vietnam from Laos . . ."

A principal supply route into Vietnam from Laos is Highway 922, which begins far to the west in Laos along the Ho Chi Minh Trail. It runs to the east and through a portion of Laos that juts out into South Vietnam just north of the A Shau valley.

All five former Marines recalled

Winter Soldier Investigation

Broken necks a game

heavy fighting in the area. The first unit to move in was H Company, and Stewart was forward observer for artillery and mortar strikes.

Among H Company troops killed during Operation Dewey Canyon I was Cpl. William D. Morgan, who later was awarded posthumously the Congressional Medal of Honor for his actions during the operations.

According to Stewart, Morgan was killed while the company was assaulting a heavily fortified North Vietnamese bunker complex just north of Highway 922 inside Laos.

"Although the Pentagon officially lists Morgan's death as occurring in Quang Tri Province, South Vietnam, the date and description of Morgan's action by the Pentagon is almost identical to Stewart's own recollection," according to Schmidt's account.

The three days of hearings at The Winter Soldier Investigation were described in terms of their purpose by Jan Crumb, President of Vietnam Veterans Against The War, in a statement which opened the investigation. Portions of Crumb's statement were read by former 1st Lt.

William A. Crandell, of Lansing, Michigan, a member of the all-vet steering committee for the inquiry.

Statement by Jan Crumb, President of Vietnam Veterans Against the War

"It has been often remarked but seldom remembered that war is itself a crime. Yet a war crime is more, and other than war. It is an atrocity beyond the usual barbaric bounds of war. It is legal definition, growing out of custom and tradition, supported by every 'civilized' nation in the world, including our own. It is an act beyond the pale of acceptable actions in war. Deliberate killing or torturing of prisoners of war is a war crime. Deliberate destruction, without military purpose, of civilian communities is a war crime. The forcible relocation of population, for any purpose, is a war crime.

"All of these crimes have been committed by the U. S. government over the past ten years in Indochina. An estimated 1,000,000 South Vietnamese civilians have been killed because of these war crimes. A good portion of the reported 700,000 National Liberation Front and North Vietnamese soldiers killed have died as a result of these war crimes. And no one knows how many North Vietnamese civilians, Cambodian civilians and Laotian civilians have died as a result of these war crimes.

"But we, as veterans of the war in Indochina, know who has committed these crimes. We have — at the behest and orders of the U. S. Military. And we say that the result, whatever the intent, is genocide. We say, whatever the furor and outrage and final outcome, that this policy — defacto or otherwise — of genocide, must be fully examined here and now in America. For it is America now, not Hitler Germany, that stands bloody-handed before the world in Vietnam. And it is America now that ignores world opinion — and outrage — at its peril. It is America now that flaunts international law, that daily commits acts of genocide, that haunts the world. Yet we, the actual executioners of this policy of war crimes, are also its victims. As with Calley, Mitchell, Torres, Hutto and the others at My Lai, we are

its present scapegoats. Yet we did not send ourselves to Vietnam. We did not make the orders. We did not give the commands. We did not write the policy. Most of us were not even old enough to vote when we were inducted into this role of military executioners for United States foreign policy.

"We did not write the rules in Vietnam. In fact, for the most part, we were not even told what they were. We certainly were not told what the 'rules of war' were in any meaningful detail. But now we have learned. We now know — too late — what war crimes are, in definition and in gory — often personal — detail. We now know that much of what we routinely did in Vietnam is all classifiable as war crimes. We intend to tell America about this.

"We intend to tell America that, yes, we killed and often tortured prisoners; yes, we killed and often tortured women and children; yes, we destroyed villages and even parts of cities and entire towns for no discernible purpose; yes, we used weapons and munitions and even gas, banned by international law; yes, we forcibly removed entire populations.

"But we intend to tell more. We intend to tell who it was that gave us those orders, that created that policy, that set that standard of war, bordering on full and final genocide. We intend to demonstrate that My Lai was no unusual occurrence other than, perhaps, in the number of victims killed all in one place, all at one time, all by one platoon of us. We intend to show that the policies of Americal Division, which inevitably resulted in My Lai, were the policies of the other Army and Marine divisions as well. We intend to show that the war crimes in Vietnam did not start in March 1968, or in the village of Song My, or with one Lt. William Calley. We intend to indict those really responsible

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for My Lai, for Vietnam, for attempted genocide.

"We intend to widen the circle of responsibility for war crimes to the top levels of society — and then to draw it tight. We intend to indict, to accuse, to hold responsible our nation's military and military policy leaders. Telford Taylor has named them. We shall, at this time, therefore not.

* * *

After his statement Crandell symbolically tore his service ribbons and medals from his uniform and threw them into a trash can in front of the speaker's table.

Fourteen members of the 1st Marine Division began the hearings. As they filed in, each threw his decorations, some of them bronze stars, some silver stars, some purple hearts, into the trash can.

Scott Camil, 24, of Hialeah, Fla., a member of the 1st Bn. 11th Marines, attached to Charlie Co., 1st Bn 1st Marines, (Serial No. 2142253) a Sergeant, testified that during his duty in Vietnam from March, 1966 to November, 1967, he saw and participated in the burning of villages and the murder of noncombatant civilians as well as captives who were suspected of being V.C.

"I spent 20 months in Vietnam. Most of the atrocities I witnessed or took part in were not necessarily in major operations. It happened all the time because it was generally accepted as policy.

"I saw villages burned down with people still in the houses. I saw men cutting off people's ears and trading them for beers."

"On operation Stone," Camil continued, "I saw two people get their heads cut off and the heads placed on sticks and planted in the middle of the field. Then we were told that the press was in the area and to get rid of them. I saw a marine shoot a Vietnamese while he was defecating, he cut off his head and his genitals. I saw one Vietnamese staked into the ground and cut open while he was alive with another Vietnamese being forced to watch. The first one's intestines were pulled out until he died. They told the other one if he didn't talk the same thing would happen to him. After he did talk, they put a .45 to his head and shot him.

"I saw a woman, who was shot by a sniper, lying on the ground when we reached her. She was asking for water," Camil testified. "'Kill her,' the 1st lieutenant told us. She was stripped naked and stabbed through both breasts and a trenching tool handle was shoved up her. She was still asking for water and bleeding when they took the tool out and shoved a tree limb up her. Then they cut her throat. She still wasn't dead. The lieutenant told someone to shoot her. I shot her," Camil said.

"We called in heavy artillery on villages for the fun of it," Camil continued. "We'd take turns seeing who could hit certain houses with the least amount of shots and the losers would buy winners beers when we got back to the rear. There were people in the villages that got killed from the hits. I also saw a G.I. killing wounded prisoners by injecting things into their veins. I saw napalm dropped on villages of civilians. When women were searched they were usually raped. We used CS gas to get people out of their huts. When we'd go through a village we would kill all the animals so there would be no food for the villagers, then we'd throw the dead animals in the water to contaminate the water."

"I volunteered for Vietnam," Camil said, "and I believed whatever the government said was right. I thought it was in the best interest of the country. I made an analogy in my mind of the women and children at Nagasaki and if it was okay then, it seemed okay now. We'd go into villages and if the people wouldn't cooperate with us we

would burn the village and kill the people. I didn't think we were fighting to win the war, though."

Camil, winner of two Purple Hearts, The Vietnamese Cross of Gallantry, The Silver Star and Good Conduct Medal, explained when he began to change his mind about the atrocities he'd committed at the direction of the U. S. Military, "It wasn't until after I got back and started to go to school, study history and shit like that, that I saw how much I had been conditioned and was able to realize that what I had done was really wrong. I thought if there was anything I could do to stop it I would."

Camil testified that when he and the others in his unit were given their Geneva Convention Cards, which were to represent a thorough briefing in the laws of that Convention, that they were told simply "what to do in case we were taken prisoner. To give our

name, rank and serial number. But we were never told how to treat prisoners we would take. V.C., or suspected V.C. and that little number was the only time we ever heard of the Geneva Convention principles."

Camil was joined on the stand by several other vets; most of them are listed on the Partial List Testimony, but there was one former Marine who wasn't, and whose testimony was extremely important.

Rusty Sachs, 27, of Cambridge, Mass., a former Captain (serial No. 092798) who served from August 1966 until September 1967 in the Marine Medium Helicopter Squad 362, Marine Airwing, 1st Marines.

"Whenever we carried Vietcong suspects we had official oral orders," Sachs testified. "The orders were through the chain of command from the C.O. of the squadron who was a lieutenant colonel or higher up. The orders were that we never count the prisoners as we were loading them onto the aircraft. We were only to count them as we unloaded them. This was because the prisoners were gagged

and bound, both hand and foot and some of them were thrown off the aircraft after we were airborne."

"When we unloaded the prisoners on the ground," Sachs continued, "the crew would take their hands and feet and throw them as far as they could and they would land on a rock or the ground. If they broke their necks, or heads, that was just part of the game."

"After they hit the ground," Sachs said of the P.O.W.'s, "they were picked up by mechanical mule and taken

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away. These were suspects, not confirmed Vietcong. Officers were present in all cases. Sometimes lieutenants, sometimes captains or majors."

According to Sachs, "Everyone accepted this as standard operating procedure. We did not have any instruction in the provisions of the Geneva Convention whatsoever other than that if we were taken prisoner we only had to give name, rank, and serial number. We were given our 'G.C.' cards after being told that and signing a statement saying that we had been instructed, which we all were told we had to sign." Sachs had received the Air Medal and a Purple Heart.

Kenneth W. Ruth, Spec. 5, Medic, 2nd Bn., 12th, First Air Cavalry, (serial no. 51569230) of West Orange, New Jersey, testified during the first day of hearings. He asked that the city of his occupation be withheld because he knew he would lose his job if it were published. He works as a policeman, a cop.

Ruth's testimony was among several witnesses who spoke of things which moved large groups of the audience into the hall. He said he had come to Detroit to testify at The Winter Soldier Investigation because he wanted "Americans to know what was going on in Vietnam in their name, and that the vets giving testimony couldn't be passed off as a bunch of hippies, or freaks or liberals," because he wasn't able to be put into any of those categories.

Ruth presented photographs to show what he had seen and captured with his camera at the same time. Attached to a unit of Special Forces "because they needed a medic, and I was told to go,"

Ruth said, "We secured a village and entered it. We asked the villagers where the VC suspects were. Some of them pointed to two men and we took them prisoner. We split into two groups taking one prisoner with each group to opposite ends of the village. The guy at my end, where I was a witness, was strung up by his hands to a tree. His feet were tied to two nearby trees. Then a South Vietnamese soldier, under the direction of one of the Special Forces men, stripped the prisoner and tied a string around his testicles. The guy with the end of the string moved back about ten feet. Then they asked him questions. No matter what they asked him, if he said no, the other guy would yank the string. They swung the guy all around by his testicles and the guy was really in pain. Following the interrogation the other South Vietnamese troops approached the prisoner and beat him. Then a couple of them knifed him and cut him up with their knives. We were told that the guy at the other end of the village, the prisoner, had been tortured by having a lit cigarette placed against his genitals.

"I want it to be known that I don't go for radical stuff," Ruth explained, "As a policeman I feel that it's my duty to speak out and the only way we have a chance to get anywhere is to stop this war and put our morals back in the right direction. To me this is the most patriotic thing I could do and if what I'm doing, by speaking out, is a crime then I'm guilty and I'll gladly accept punishment."

The problems of the Winter Soldier Investigation were few in comparison to the triumphs. When the Canadian government announced that they were refusing to allow five Vietnamese to enter Canada to testify in Windsor, across the river from the hearings at the Howard Johnson Motor Lodge, the Vets of the Winter Soldier Investigation gave the following reply.

"The Canadian immigration authorities have stated that the Vietnamese, if granted admission to Canada, would have spoken primarily to the American People and not to the Canadian people. That statement is untrue. The applications on behalf of the Vietnamese were submitted by a Canadian antiwar organization. The Vietnamese were to have spoken in Cleary Auditorium in Windsor, Canada. Jack Ruttle, the program director of CKLW television, had arranged to have three Canadian television camera crews film the testimony of the Vietnamese. That film would have been broadcast on CKLW television in Windsor, Canada, on the evening of Feb. 2. CKLW television was negotiating with CBC so that the program might have been broadcast throughout all of Canada. The American audience would have con-

sisted of approximately 500 veterans at the Howard Johnson New Center Motor Lodge, who would have received the program by closed circuit television. The Canadian audience might have numbered in the millions."

A Windsor television station had agreed with Mark Lane and a representative of the WSI to videotape the entire six hours of testimony which was planned for the Vietnamese. They had also allowed their equipment to be used for a closed-circuit microwave broadcast of the testimony on Tuesday afternoon. But the Trudeau regime blocked the entrance of the Vietnamese who had walked from the

South to the North and flown to Moscow in preparation for their trip to North America.

A local newspaper, one of the large dailies, announced after a WSI press conference, that one of the vets who was to testify was not on record with The Pentagon as being a veteran in fact. The Vet in question was Michael A. Hunter, a Vietnam veteran and winner of a Silver Star, two Bronze Stars, The Air Medal and two Purple Hearts. But *The Detroit News* said, "A Defense Department spokesman said the Army has no records on Hunter."

Therefore, at the first day of hearings, I handed Michael Hunter's documents to the panel moderator (including his honorable discharge, his notice of being transferred to reserve status, and several citations) who then read them aloud and showed them to CBS Network cameras, where they were later broadcast across the nation. Hunter's father would be alarmed to hear what the *Detroit News* reported since he is a colonel.

What the *News* sought to discredit was Hunter's startling testimony. "I took part with the 1st Air Cavalry and witnessed American military personnel carve symbols on the chests of the enemy dead and also cut off their heads. The heads were then impaled on sticks and placed in the trails." Hunter said.

Hunter testified, "The 1st Air Cavalry also killed villagers, burned their villages, and destroyed their livestock . . . The standing orders for our outfit were to take no prisoners, which meant to kill those who were attempting to surrender."

The three days of hearings continued with testimony equally as devastating as that which has been mentioned. Some of it can be seen in the accompanying, partial list of witnesses. One panel, that on prisoners of war, was most effective in establishing the criminal policy of U. S. military forces in Vietnam.

Mr. and Mrs. James H. Warner contacted the WSI office and asked if they could be involved in the hearings. Their son had been captured by the North Vietnamese and held prisoner for three and a half years. They met with Veteran Wilber Forester and V.V.A.W. General Counsel, Mark Lane. After meetings with Forester and Lane they both agreed to testify. Mrs. Warner was present during the hearings and testified, bringing with her a statement by Mr. Warner who was unable to get a release from his job as a truck driver.

Both of their statements are published in their entirety here.

**Statement of James F. Warner
February 1, 1971**

My son James H. Warner was born in Ypsilanti Michigan, on February 26, 1941. He attended Eastern Michigan for five years, majoring in language, pre-med and pre-law. In 1964, he enlisted for four years in the United States Navy. He graduated from flight school during April 1966 and entered the Marine Corps as a second lieutenant. On October 13, 1967, his plane was shot down over Viet Nam. On October 14, 1967, at 9 a.m., we were informed by a Marine Corps major that two parachutes were seen after a Phantom F-4 had been shot down. The same major informed us that helicopters unsuccessfully attempted a rescue. I asked the major if he was going to report this information to the press. He said that he would not and that we were not permitted to speak about our son's capture except to our closest friends and relatives.

I received no additional information from the military until November 16, 1967 at which time I was briefed in a special room at the Detroit Metro Airport by two Marine officers. At that time I was shown a document and told that I might read it there, but that I could not take it with me and that I could not see it again after I left the room. The document said that my son's plane was on a mission but for some unexplained reason it was diverted to another mission in mid-air. If my memory serves me correctly the second mission required that they fly at 2,500 feet. At that time I remembered having seen a special film shown to us when my son got his commission. The film had explained that the F4 had an operation level of over 100,000 feet. I could not imagine why he was ordered to fly so low on that occasion. Anyway, the document said that my son's plane was hit by ground fire. Of course, I was agitated and upset when I read the paper and I asked if I could have a copy. One officer said that I definitely could not have the copy and that I should read it and forget it. As I recall, the document said that my son was trying to contact helicopters by radio after he had landed but there was radio interference. It said that he was behind a sunken sampan at a place where two rivers joined. While they were trying to get clearance for the helicopters to come in, three armed North Vietnamese regulars captured him, according to the report. The last line of the report said that "the last seen of Lt. Warner was when he disappeared behind the tree line." That is the one line that I remember.

I thought about that report over the years. What the hell, when you lose your only son you are going to think about it day and night and a truck driver has a lot of time to think while driving on the road. Why a new target should be picked out in mid-mission doesn't seem to make any sense at all. How important could it be when you are bombing straw hootches and the "enemy" has no air force to oppose you, for you to be diverted in mid-mission. I am convinced that some of our men were deliberately lost so that the administration could say "the war must go on as long as there are Americans in prison camps."

On the question of the war, I was a hawk a few years ago but I think it is important to listen to the young people. I have done that. I have talked to a lot of young people. And I don't believe that my son or the life of any American boy or any Vietnamese should be sacrificed to keep Ky in power. I don't understand why the United States government thinks it is in our interest to maintain a military dictatorship in Viet Nam. There is only one way my boy is going to come home, and that is by ending the war. Even if they let my boy come home now, the basic problem would not be solved. I want all the boys home. All 300,000 or 400,000 Americans for they are prisoners of war, too. They are prisoners of Ky and Nixon. I have a special interest in the war and so I have read the eight points in the program of Mrs. Ti Binh. I like her proposals and I think we ought to accept them, get all the boys home, stop blowing up straw houses and killing Vietnamese, and let the people of South Vietnam settle their own problems. If I was 119 years old, I'd

pick up a rifle and defend my country. I am a fighter. I used to be a professional boxer, but I sure won't go 10,000 miles to intervene in somebody else's civil war. This war is the worst mistake America has ever made in its history. This whole idea of writing to Hanoi is stupid. Nixon said that he would pay no attention if Americans wrote to him about ending the war and he did not care how big the demonstrations were against the war. If that is how the President of the United States feels about the American people, how the hell can we expect Hanoi to be concerned about what a lot of foreigners tell them to do. And putting up billboards in America addressed to Hanoi makes just about as much sense.

I am just a truck driver and a good union member, but I know that if those 200 American corporations with investments in South East Asia weren't there, we would not be in this war. And my son's life is not worth giving for that cause either.

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We get mail from Jim and he and I have always been very close. We have had our differences like fathers and sons will have but we are very close and respect each other. I read his letters very carefully and they show me he is being treated very well. They show that he is receiving information about what is taking place in the world, that he has no real complaints, except of course, that he would like to be home.

The Pentagon has especially used the families of the prisoners of war. First, they ordered us to be silent and then when the stories about the American atrocities were about to break, they had us begin this phony campaign of writing to Hanoi. They have used my wife and they have tried to use me and my daughter, and they have used my son. But it stops here. I want my son home and I know there is only one way he can come home: that is when Nixon agrees to that lady's proposals. They are solid and they will permit us to settle our differences in an honorable way. The Vietnamese people are not my enemy. My enemies are those in Washington who keep this war going.

Statement of Virginia R. Warner

My name is Virginia R. Warner. I was born in Indianapolis, Indiana. I am employed as a medical secretary.

When the National League of Families of Prisoners War set up, I was asked to serve as a co-ordinator and I agreed to do so. I was anxious to meet other families who had boys and were doing so. I was anxious to meet other families who had boys in the Hanoi prisons. The program, however, never made very [much] sense to me. When we met in Chicago, one congressman said that we were going to withdraw most of the troops but still leave some American advisors there. In other words, after 20 years of fighting we were going to be back where we started — except that 50,000 American boys will be dead, and many more of them wounded or damaged psychologically and who knows how many Vietnamese killed.

It is important to understand what our situation was and how we felt — in order to understand why we agreed to do such foolish things as ordering a letter writing campaign to Hanoi or putting up billboards calling upon Hanoi to free the prisoners. I am embarrassed to say that I personally arranged for a billboard to be put up in Ann Arbor.

First we were told that we had to be absolutely silent about that fact that our son was a prisoner of war. No one ever mentioned the subject. The government seemed to forget them. When I asked the casualty officer assigned to us by the Marine Corps if I could have the names of other prisoner of war families in Michigan, he said, "There are none."

Later I found out that his statement was untruthful. At this point I want to make it very clear that I have no quarrel with the casualty officer. He has been very considerate of us and very polite and my husband and I like him. He was, of course, just following orders given to him by higher ups. Anyway, we felt entirely isolated. Finally, after two years, the organization of prisoner of war families began and by then we were so desperate to do something and so relieved that we were willing to accept the suggestions of whoever really organized the families. Certainly, the Pentagon was responsible for making the names available. Certainly, before that time none of us were able to get the names of other families, even those who lived in the same areas. Now, when I see how we have been used to help gain support for the war, I wish I had never put up that billboard or urged anyone to write to Hanoi.

I would like to put up a new billboard now — one which reads, "President Nixon, End the War So The Prisoners of War Can Come Home."

I know my son well. He could not write the kind of letters to us that he has done if he were not well. He is safer where he is now than the other American boys who are fighting in South Vietnam. The last thing in the world I want is any more bombing of the North. I never wanted Vietnam bombed.

I am not proud of the fact that my son helped to bomb Vietnam and I don't want any more Vietnamese

people killed . . . because I don't want my son or any other prisoner of war killed by American bombs.

We don't want any more raids like the one on Son Ty either. Those "rescue mission" probably would end up with many of the prisoners being killed if they were caught in the middle of the fight.

I am sure Jim is being treated just fine because his letters are great. If the American government agreed to end the war, I know that Jim would come back to us safely. I wish the letter writing campaign were reversed. I wish everyone who wrote to Hanoi would write to Washington now.

Since I would like to meet the Vietnamese people, I really hope they will come to Windsor. I would like to go up to each one of them and hold their hands in mine and say to them that I am sorry about the bombing of their country and I am terribly sorry that Jim was part of it. It is not much, but what more can I say. I know the Vietnamese are human beings just like we are and I think they would understand.

Testifying on the POW panel were a former Army Green Beret medic and a woman volunteer who were both prisoners of the "Vietcong."

The statements were in direct contrast to the descriptions of the torture of Vietcong and North Vietnamese prisoners by U.S. soldiers offered during the first two days of the inquiry.

Winter Soldier Investigation

'Electric wires attached to genitals'

Former Staff Sgt. George Smith, 32, a postal worker from New Cumberland, W. Va. and Dr. Margorie Nelson of New Haven, Conn., said they received abundant — if not palatable food and prompt medical attention during the time they spent as prisoners of the Vietcong.

Smith described how his Special Forces base camp came under mortar attack in November 1963 and he was captured by soldiers of the National Liberation Front.

Smith said he was released by the "Vietcong" in November 1965. He said they told him they were releasing him and another prisoner to two American youths who immolated themselves to protest U.S. war policy.

Smith's records are officially classified by the Pentagon, which would only confirm that he was a POW and that he had been released in 1965 to William Schmidt, of the *Detroit Free Press*.

Smith said during his time as a prisoner that his captors "never laid a hand on me, never abused me in any way." He said, when he returned to a U.S. Army base, he was surprised to learn that he had been charged with aiding and abetting the enemy. He said he accepted a general discharge — which is below an honorable discharge — in lieu of a lengthy court martial proceeding.

Smith said he was angered by the charge against him because he had aided another prisoner in escaping the compound where they were held. Smith said he remained behind specifically to cover for the other man so he could get a head start on the guards.

Smith said that man, Isaac Camacho, was later personally decorated by President Johnson as the first American soldier to escape a

Vietcong prisoner compound. The Pentagon confirmed this and added that Camacho also received a direct commission from sergeant to captain and is now stationed at Fort Bragg, N.C.

Dr. Nelson said she was working with the American Friends Service Committee in Hue when she was captured during the Tet offensive in February 1968.

She said she was held a prisoner for six weeks and was not abused or beaten like prisoners in American and South Vietnamese run camps where she later worked.

She said she is now studying public health at Yale University.

Stephen Noetzel, 30, a former Green Beret who worked in the Mekong Delta, said he witnessed prisoners tortured by electrical shocks and snakes. The *Detroit Free Press* confirmed that Noetzel was a veteran and in Vietnam between 1963 and 1964.

He said that U.S. troops kept an eight-foot python at their compound near Can Tho, South of Saigon, and prisoners reluctant to talk were placed overnight in a room with the snake.

He said the snake was not large enough to kill the prisoners, but "you could hear them screaming all night. In one instance, we had to gag the prisoners so their screams wouldn't keep everyone awake."

Noetzel described one incident, in which he said 12 prisoners were thrown to their deaths from helicopters taking them to Saigon.

"I asked a door gunner what had happened to the prisoners," he said. "He told me the South Vietnamese soldiers had pushed them out over the Mekong Delta."

Noetzel and others said they had seen enemy soldiers and civilians tortured into answering questions by having electric wires attached to their genitals.

"They were told it was a lie detector," Noetzel said, "and everytime they 'lied' they were given a severe shock."

"We used a 12-volt jeep battery for electric torture," said Jon Drolshagen, a former prisoner-of-war interrogator in Vietnam. "The prisoners were brought to us by the South Vietnamese. If a person died under torture he was listed as a Vietcong on the body count."

Drolshagen said he had been a first lieutenant with the 1st brigade of the 25th Division in Tay Nin Province. He said he had spent seven months as a platoon leader and five months as an interrogator between November 1966 and November 1967. He said prisoners were often mutilated with a knife to make them talk. "We had to kill them afterwards because we couldn't turn them into medical aid in that condition," Drolshagen added.

A major and the Military Police were present at the interrogations, Drolshagen said, but no one made an attempt to stop the torture, although the MP's were there under the pretense of making sure the rules of the Geneva Convention were not violated.

The three days of hearings concluded with a meeting where all the Vietnam vets who had come to Detroit elected to send a delegation to Washington, D.C., to meet with Senator George McGovern and

Congressman John Conyers to discuss their request that all those who testified be brought to Washington, D.C., for a formal Congressional Investigation.

We went to Washington with the seven-man delegation of John Floyd, of Arlington, Texas; Tim Butz, Columbus, Ohio (also a veteran of Kent State University); Evan Haley, Alcatraz; Don Donner, Fayetteville, Arkansas; Larry Rottman, Corales, New Mexico; Art Doherty, Philadelphia, Pa.; and Murphy Lloyd, representing his home town of Detroit.

The vets first met with Congressman John Conyers, and Congressman John G. Dow. There by representation were Congressmen Bella Abzug, Ron Dellums, Robert F. Drinan, and Parren J. Mitchell. During that meeting the possibility of formal hearings was discussed and Congressman Conyers assured the vets that he would proceed with Senator McGovern to call for those. At the same time he offered to hold ad hoc hearings to more formally depose the witnesses and allow the American people to view the testimony where the media had ignored them in Detroit.

The vets next met with Senator George McGovern, whose interest and support in The Winter Soldier Investigation did not decline at all since his statement was issued during the hearings. He pledged to follow the demand for a Congressional Investigation with constant personal action as well as to make an appropriate appeal to The Armed Forces Committee of the Senate to conduct the formal hearings, which it was assumed would be rejected, and then to Senator Fulbright's Foreign Relations Committee. McGovern said there was no reason to believe that the President's "Vietnamization" program was meaningful.

Later in the week, both McGovern and Conyers held a joint press conference to assure the people of their commitment to the evidence of U.A.

War Crimes in Vietnam and Indochina, arising from the testimony at the Winter Soldier Investigation.

The following are summaries from a partial list of witnesses which was presented during the three days of the Winter Soldier Investigation.

This is not a complete list of testimony, but rather a summary of some of the points discussed. These incidents, when explained by the veterans, showed both the true nature of our national military policy, and the results of that policy.

1ST MARINE DIVISION

Robert Stephen Craig, 23, PFC, 2/5 Marines, 1st Marine Division, (1966-67), Philadelphia, Pa. resident testifies to VC suspects being blindfolded by a staff NCO and GIs tossing them in the air and letting them fall on the steel bed of a truck causing serious injuries to them (An Hoa, south of DaNang, June 1967). He tells about a company commander running over a Vietnamese woman with a vehicle because she would not move to the side of the road. The rest of the convoy passed over her, crushing her beyond human recognition. He also has testimony relating to shooting up friendly villages (March 1967, south of DaNang on Highway 1).

Jon Spirson, 23, Sgt. E-5, combat engineer, 9th Eng., 1st Marine Division, (1967-68), Syracuse, New York (please turn to page 43)

(continued from page 42)

York resident testifies to a major ordering unit "to kill everything in sight" on search and destroy mission in Quang Ngai province (April-June 1967) resulting in several killed villagers and the burning of the village of Duc Pho. He further testifies to H & I fire, all night and day, in areas where civilians were known to be (Quang Ngai), resulting in wounded civilians.

Kenneth J. Campbell, 21, Cpl. E-4, field artillery observer, 1/1st, 1st Marine Division, (1968-69), Philadelphia, Pa. resident testifies to artillery fire called on undefended villages, including one incident of the shelling of villagers fleeing back into the village of Phu Loc 9, northeast of An Hoa, (Jan. 1969). Several villagers were observed to be hit by initial artillery barrage. He further testifies to the mistreatment of prisoners, blowing up of bodies with explosives, wounding and killing unarmed civilians, and other "incidents" resulting from U.S.M.C. training - "we were to shoot first and ask questions later," and that "we weren't to 'sweat it' too much if we shot someone without a weapon because they were only 'gooks' anyway."

Mike McCusker, 29, Sgt. E-5, 1st Marines, infantryman-reporter, Portland, Oregon resident will testify in detail about the systematic killing of residents of two villages 5 miles west of Tam Ky (approximately 50 deaths) by members of 1/5th Marine Regiment, 1st Marine Division. Three U.S. majors present made no attempt to restrain the troops. McCusker also witnessed interrogation of Vietnamese by U.S. forces in which field telephones and jeep batteries were used to induce shocks; police dogs were also set upon some suspects, biting them. He also witnessed open trenches that had been dug next to the prison compound near Binh Son. He later saw them after they had been filled in like graves. A U.S. advisor at the site told him that the trenches were filled with prisoners, most of whom

Winter Soldier Investigation

'U.S. paid mercenaries for heads'

were shot "because if released, they'd become Viet Cong again." On many occasions, *McCusker* saw villages which were occupied by civilians leveled by high-explosives, napalm, and mortar fire whenever a few sniper shots were received.

Kevin Paul Delay, 20, Cpl., H & S Co., 3rd Bn., 1st Marines, 1st Marine Division, (Oct. 1969-March 1970), student, Takoma Park, Maryland resident testifies on Dec. 24, 1969, just before midnight, a squad of Marines from I Co., 3rd Bn., 1st Marine Reg., 1st Marine Division ambushed a group of Vietnamese killing 25. One weapon, a 9mm pistol, was found (area between Hill 37 and Charlie Ridge, near DaNang). *Delay* states that the next day a major, Battalion XD, collected a souvenir weapon from an individual marine, had it smeared with mud and sent to Regiment with "body count" to make it seem like a heavily armed force.

Charles R. Leffler, 25, E-3, Inf. LRRP, 2/26 G. Co., 9th MAB, LRRP (2/26) attached to 1st and 3rd Marine Divs., (Sept. 1968-69), student, Detroit, Michigan resident testifies to villages in Quang Nam province being burned and caches being found. Livestock was destroyed to facilitate the search of a bunker. While in "grunt" unit he took part in up to company size incursion into North Vietnam for recon. They went in several Ks and usually stayed 48 hours. It was SOP to recon by fire. *Leffler* also states a battalion policy of levelling any village where one shot was taken. CS grenades (M-79) were used to flush bunkers and harness civilians. While a LRRP, *Leffler* was under orders never to take more than two prisoners and to kill all the rest. Medical treatment was to keep the suspect alive for questioning, not to enable him to recover.

David Black, 21, Cpl. E-4, tank crewman, 1st Armor 1st Mar. AMTKS (Sept. 1968-June 69), 3rd AMTKS

(June 1969-Aug. 69), I Corps. student, Detroit, Michigan resident testifies he saw several villagers killed through accidents of sighting on AMTRACK. He states in July 1969 on Gan Noi Island, 12 miles SE of DaNang the 1-1 or 1-2 Marines, after losing six KIAs by boobytraps, forcibly removed at least 30 villagers (men, women and children) and made them walk point to set off booby traps. Also, on that operation *Black* saw a Marine Interrogator beating an NVA prisoner and holding his head under water to make him talk.

Christopher R. Simpson, 21, Cpl., 2/5th 1st Marine Division, (1967-68), Minneola, N.Y. resident testifies to his unit not taking prisoners and rejecting Chieu Hoi passes. He testifies to seeing a prisoner having both legs broken, then stabbed and left in a rice paddy to die. He also states that GI's in his unit beat old men and women.

Lewis N. Defelice, 21, LCpl., 3rd Bn., 11th Marines, 1st Marine Division, (1968-69), Ardmore, Pa. resident testifies that on hill 65, 15 miles west of Quang Nam, OPs were ordered to shoot any person who approached the perimeter. When asked if this meant children also, the reply was yes. He states another instance which happened in May 1968 in Quang Nam province when "G" Battery 3/11 fired 90 rounds of V.T. fused H.E. into a village suspected of harboring NVA soldiers. The civilians were not forewarned.

David Bishop, 21, LCpl., 2nd Bn., 5th Marines, 1st Marine Division, Detroit, Michigan resident testifies to numerous killings of VC suspects and VC prisoners. He witnessed turning over to ROKs of four VC nurses who were tortured and killed by them.

Paul Olimpieri, 23, Cpl. E-4, 1st Battalion, 5th Marines, 1st Marine Division, a Fairfield, Conn. resident testifies to the burning of a village, destruction of crops and animals, and

the killing of a villager who was 70 years old. *Olimpieri* testifies to seeing three prisoners shot after one of them began to run. His unit worked generally in the Que Son Valley area.

1st Marine Air Wing

Jon Floyd, 24, 1Lt., VMA 533, (Marine Attack), MAG-12, 1st Marine Air Wing, Squadron Pilot, (1968), Arlington, Texas, resident has testimony relating to faulty body counts, secondary explosions and free-fire zones.

George C. Carroll, Jr., 22, Cpl. E-4, MARS-16/MAG-16, 1st Marine Air Wing, (1968-69), Philadelphia, Pa. resident testifies to unnecessary harassment of VC suspects by ARVN officer allegedly to impress American GIs. (near DaNang, in 1969).

Joe Bangert, 22, Sgt. E-5, helicopter gunner, VMD-6, PMAG-39, 1st Marine Air Wing, (1968-69), Philadelphia, Pa. resident testifies to the disembowelment and skinning of Vietnamese women in Quan Tri (Trieu Phong District, Ba Ben village) by an American, after she was killed by ARVNs. Body was hung on a tree as a "warning" to other "gooks." He further testifies to killing villagers - 20 or more women, children, old men - in helicopter assaults near Cam Lo and of civilians shot without provocation along Highway 1 near Dong Ha in Oct. 1969. He qualified as a helicopter gunner by shooting elephants in Laos in April 1969. In Quang Tri province, he observed 20 deformed babies from "agent orange" defoliant spray.

Ted Eckert, 21, Sgt. E-5, flight engineer, MAG-16, 1st Marine Air Wing, (1969-70), Annandale, Virginia resident testifies to shooting of an old Vietnamese woman by Marine security guards in Quang Tri province in Feb. 1970. He further testifies to "recon by fire" throughout I Corps, on orders of commanding general 1st MAF, and of a prisoner thrown from a helicopter.

111 MAF Continued - Miscellaneous

Norman Kiger, 22, Cpl., 7th Comm Bn., 111 MAF, (1968-69), Mt. Ranier, Maryland, resident testifies to a SSgt in charge test firing claymore mines

'Enemy ears for shipment to U.S.'

into the village of Tuy Loan for "cheap thrills" at observation post BEAR. At OP Panther in Tuy Loan they were ordered to throw grenades outside perimeter to "scare off" possible sappers. This was an inhabited area (Quang Nam province).

John Adrian Kilby, 20, LCpl., E-3, 1st Battalion, 26th Marines, 5th Marine Division, Gainesville, Florida resident testifies to the destruction of an entire village and livestock in March 1969 near Hill 190, "I" Corps area. Also in March 1969 he crossed into North Vietnam on recon with the 26th Marines three times. *Kilby* will also testify that the mistreatment of POWs was expected and condoned by the officers of his unit.

1st Air Cavalry

Ronald F. Morgan, 23, SP/5 (E-5), Co. "C", 228th AVN Battalion, 1st Air Cav., and 1/9 Air Cav., 1st Air Cav., (1966-67), Philadelphia, Pa., resident testifies to seeing a Viet Cong prisoner in Tam Ky tied to a stake and wrapped in barbed wire, then harassed by men with bayonets and urinated on by others. He also testifies to the death of a Vietnamese truck driver due indirectly to harassment by helicopter crew members.

Don Sproehle, 22, SP/4, medic, 1st Air Cav., (1967-68), Philadelphia, Pa. resident, testifies to the water torture of a "VC suspect" in Feb. 1968 on the beach of the South China Sea in I Corps. The torture was conducted by RVN national police.

Mike Brent, 23, SP/5, armored recon specialist, 7th Sqdr., 1st Air Cav., (1968-69), Madison Wisconsin resident, testifies to the killing of 50 Cambodian villagers in June 1968 on operation in Cambodia, which the unit denied carrying out. He further testifies to the U.S. military paying mercenaries (Nungs) for heads, ears and livers of VC.

Jery Klein, 27, Sgt. (E-5), infantryman, 2/8 Cav., 1st Air Cav., (1967-68), Long Island, N.Y. resident, testifies to a village on Bong Son plain, north of LZ Twobits, destroyed by artillery fire called in response to sniper in Feb. 1968. He further testifies to rice destruction in Bong
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Son Plain during search and destroy operations.

Michael R. Caputo, 22, SP/4 (E-4), infantryman, 2/8 1st Air Cav. and 2/16 1st Inf. Div., (1969-70), Levittown, Pa. resident, testifies to the killing of civilians — "supposed VC sympathizers without weapons shot outside Ben Cat village (Binh Duong Province) during cordon" — in July-August 1969. He further testifies to

search mission in Cambodia in March 1970 ordered by a Colonel.

James Duffy, 23, SP/5 (E-5), 228th AVN Battalion, 1st Cav., (1967-68), helicopter gunner, Bronx, N.Y. resident, testifies to the use of defoliants dropped along AN Lo Valley by CH-47's. He says it was common to drop gas into villages for "kicks." *Duffy* states that helicopters played games with civilians by blowing them over using the prop wash, (in one case killing a small boy), blowing away their rice crops and houses. He testifies to the mistreatment of POWs by kicking, hitting them with rifles, and pistol whipping. *Duffy* testifies to giving hydraulic fluid to village kids with the logic that "the only good gook is a dead gook."

Gail Graham, 23, SP/4 (E-4), door-gunner (helicopter), 229th Aviation Unit, 1st Air Cav., Jamestown, N.Y. resident, testifies to witnessing six helicopters attack a hamlet after flight leader (captain) said over radio: "Screw it, blow them all away!" Between 15 and 20 thatched huts were destroyed. No reason was given. This occurred north of Camp Evans (I Corps) in June 1968. *Graham* witnessed door-gunners on medevac helicopters harass and slap wounded enemy soldiers as they were flown to medical stations. He testifies to regularly flying on "snatch missions," persons were rounded up, threatened and hit with rifle butts while their papers were checked. Many Vietnamese were flown back to U.S. HQ for further questioning. In Dec. 1968, *Graham* saw a "Hot Pit" at Landing Zone Rita — a three-foot hole covered with a poncho. Prisoners were placed in the hole and left in the sun until they talked. On three separate trips, *Graham* flew with unit into Laos, the first time in May 1968 from Phu Bai. On these flights, as many as 12 Green Berets were ferried into Laos where they were left for reconnaissance work. Before each trip, all insignia and markings were removed from craft and men. He also testifies to helicopter assaults in which extensive CS gas was dropped in area before GIs entered.

Bob Connely, 22, SP/3 (E-4), 2/8, 1st Air Cav., Infantryman, Frewsburg, N.Y. resident testifies to witnessing the killing of 15 to 20 NVA soldiers who were wounded and/or surrendering by U.S. troops (May 1968, LZ Carolyn, III Corps) *Connely* testifies that at least 50% of wounded POWs were killed by GIs. *Connely* states that GIs regularly mutilated enemy corpses. 1st Air Cav. patch was carved into bodies or a patch was applied with sticks jabbed into the body. Officers were often

present and no attempt was made to restrain the men. When in Base camp, the PX would issue men *extra patches* for just this purpose. One occasion he heard on the radio that Psywar helicopter had spotted 15 Viet Cong who were surrendering. The helicopter couldn't land, so a gun-ship was called in and all were killed (Aug. 1969). In March 1970, *Connely* read the same account in the division's HQ Journal. In August 1969, *Connely* testifies, two platoons were sent into Cambodia for a 10 to 14 day period. Nightly artillery support was provided from LZ Becky (Fish Hook area). Later, he saw that map coordinates had been changed at HQ to conceal the fact that troops were in Cambodia.

James MacKay, 20, Sgt. (E-5), Teletype-Radio Chief, HHQ 3rd Bde., 9th Div., (Oct. 1968-Aug. 1969), and A Trp., 1/9 Cav., 1st Air Cav., (Aug. 1970-Dec 1970), student, New Hudson, Michigan, testifies that in Long An Province (near Can Gio) around the second week in Feb. 1968, he observed the burning of a village (from a copter). He states that H and I fires were complete every day into free fire zones which were known to include civilians. As commo chief, *MacKay* correlated reports from field. Sqdn SOP was to recon by fire every hootch or stack of crops with rockets, miniguns, and grenade cannons, also anyone who ran with or without military equipment. Men, women and children were included in body count. "A" troop 1/9 Cav was not getting confirmed body counts so major (CO) let it be known that next KIAs would be dropped at Bde TOC. They were dropped from a helicopter hovering at 100 feet above the TOC. There were no repercussions toward this officer. Also, *MacKay* states that many times explosives were deliberately thrown into the landfill (garbage dump) where fires burned continuously in hopes of blowing away some of the kids who dug around in it. A good friend was burned in such an incident.

Robert Witorski, 22, SP/4, rifleman, "C" Co., 2/12 1st Air Cav., (1968-69), Detroit, Michigan resident testifies to receiving an order (June 1968) from company commander which had been passed down by Bn. commander that said "no prisoners taken, kill all wounded." *Witorski* states that at Cu Chi base camp at a chow line in Jan. 1969, the CO came along and told men to spread out. When they didn't, the CO frugged the line, hitting one man. He testifies to seeing NVA being pushed from a chopper at LZ Grant near Nui Ba Den in III Corps in April.

3rd Marine Division

Michael Damron, 24, Pvt., Tank Crewman, 3rd Tank Bn., 3rd Marine Division, (1966-67), Springlake, Ark. resident testifies to killing of five civilians by tank fire in January and February 1967 on "Operation Newcastle" and "Dixie." On "Operation Hickory" in May 1967, *Damron* participated in a search and destroy mission in the DMZ, ordered by his Bn. commander. Further, he testifies to destruction of entire village in Nov. 1966 by tanks running over huts; of POWs being transported on tanks in such a way as to harm or kill them (heads placed in gun barrel so that if tank hit bump, it might break POWs neck, heads placed at exit of exhaust on tracks, and of river craft being fired upon by tanks near Hill 67, Dai Loc.

Jonathan Birch, 24, Cpl. (E-4), "B" Co., 3rd Shore Party Bn., 4th Marine Regiment, 3rd Marine Division, (1965-66), Philadelphia, Pa. resident testifies to the relocation of Vietnamese fishermen by Americans in Chu Lai on the northern edge of the shore on Dang Quat Bay to infertile land, forcing them into farming and giving them no choice as to where they were going, (May-Aug. 1965) by Reg. CO orders.

Steve Rose, 26, E-5, Corpsman, Hq Bn., 4th Marine Reg., 3rd Marine Division, (1966-67), Queens, N.Y. resident testifies to seeing throwing of wounded civilian out of airborne ARVN helicopter in July 1967. He further testifies to witnessing enemy cars being prepared in Phu Bai (Thua Thien Province) for shipment to the United States.

Bill Hatton, 23, Cpl. (E-4), security guard, 3rd Marine Div., (1968-69), Bagley, Minn. resident testifies to stoning to death of Vietnamese child by 20 Marines near Dong Ha Ramp in Dec. 1968. He witnessed throwing of C-ration cases at Vietnamese from convoy trucks (45 mph) in March 1969, and of "cookies" filled with heat tabs thrown to Vietnamese children as "candy." He further testifies to "mad minute" firing in evenings at LZ Stud, all summer of 1969 (in Quang Tri Province).

John A. Truitt, 21, Cpl (E-4), combat engineer, 3rd Engineers, 1st Battalion, 3rd Marine Division, (1967-68), Levittown, Pa. resident testifies to the skinning of a dean NVA soldier near Cua Viet (Quang Tri Province) by a Marine tank crew. On "Operation Lancaster II" a month later, he witnessed the killing of up to 30 enemy

soldiers some trying to surrender, others unarmed and "just sitting in their huts . . . very harmless." **Truitt** contends that "we had been told not to take any prisoners." He further testifies to an operation in North Vietnam ordered by his Battalion commander for the purpose of destroying and blocking roads.

Vaughn E. Aeschleman, 23, LCpl. (E-3), Field RTO, 3rd Battalion, 3rd Marine Reg., 3rd Marine Div., (1967-68), Hays, Kansas testifies to throwing C-rations at civilians from passing trucks and the burning of villages on Operations Prairie II, III, IV in 1967-68.

David J. Fortin, 20, (E-4), H & S 3rd Med. Batt., 3rd Marine Division, Detroit, Michigan resident testifies to the treatment of POWs in American medical hospitals in Vietnam. He testifies to an operation performed on a prisoner by an unqualified naval corpsman rather than a doctor. The operation was performed under unsterile conditions. **Fortin** will also testify to the general harassment of prisoners.

Christopher M. Soares, 20, LCpl. (E-3), "G" Co., 2nd Bn., 9th Marine Reg., 3rd Marine Division, (1968-69), New York, N.Y., testifies to crossing into Laos on search and destroy missions during Operation Dewey Canyon in February 1969. **Soares** testifies to the harassment of POW at knife point on April 21, 1969 near Mothers Ridge 2 Ks south of DMZ, in Quang Tri Province.

Gordon P. Stewart, 23, Sgt. (E-5), Mortar F.O., 2nd Bn., 9th Mar. Reg., 3rd Marine Division, (Sept 1968-Aug

1969), student, Royal Oak, Michigan, testifies that on or about March to April 1969 he took part in search and destroy operations. In one village, six or seven hooches and a field were burned. In two other cases he personally called W.P. on villages of approximately 20 huts; total destruction. The reason given was to deny VC shelter. **Stewart** also testifies to the nature of Operation Dewey Canyon in January 1969. He states that the operation took place in Laos about 10K over the border and that almost the entire 9th Marine Reg. was involved. Heavy casualties were taken but no "copter" were used because of the clandestine nature of the operation so that KIAs and wounded were carried back (about six days in Laos).

Robert D. Clark, 22, (E-3), H & S Co and "G" Co., 2nd Bn., 9th Marine Reg., 3rd Marine Division, (May 1969-May 1970), Philadelphia, Pa. resident testifies he was on search and destroy mission in Laos (by accident) on July 5, 1969. Also he states that on FSB Wiseman, June 31, 1969.

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following an all night firefight (at approximately 0530 hours) three wounded prisoners were denied medical aid and tortured until they died. All this happened in full view of all company officers.

Paul C. Hassler, Jr., 20, E-2, rifleman, "K" Co., 3rd Bn., 9th Marines, 3rd Marine Division, (March 1969-Aug. 1969), student, New Castle, Delaware, testifies on approximately Feb. 25, 1969, his platoon entered Laos, on a search and destroy operation, as part of Operation Dewey Canyon. Also **Hassler** witnessed the mutilation of NVA dead around Khe Sanh. Officers ordered the bodies blown up. He states that he and his squad were ordered to chop down grass in a marked mine field, saw Marines wound themselves to escape the brutality, and also had one of his commanding officers killed by Marines for his neglect of his

troops and his brutal and bloodthirsty attitude toward combat.

Dale Shaner, 23, Sgt (E-5), 2/3, 1/9, 3/3, 3rd Marine Div., (1968-69), Great Bend, Kansas resident testifies to the burning of approximately 20 villages in the I Corps area, stated reason for burning — "to deny VC shelter." He testifies members of the 1st AmTracks, 3rd Marine Division tied bodies to the rear of the AmTracks and riding bodies back to rear. On Operation Prairie II, eight people were captured. An ARVN Sgt. shot three women before he was stopped. **Shaner** was reprimanded by his platoon officer for interfering with the ARVN Sgt. He also testifies to the beating of civilians and brutalizing of bodies by cutting off heads and ears.

David Harper, 21, E-3, "D" Co., 1st Bn., 4th Reg., 3rd Marine Division, machine gunner, (March 1969-Oct. 1969), testifies to his unit crossing into Laos in March 1969 to try and locate a mortar tube (enemy) after a fire fight on Firebase Argon.

R. H. Alcott, 24, Cpl. (E-4), M Co. 3 Bn., 9th Marine Reg., 3rd Marine Div., (Aug 1966-Sept 1967), Cranford, N.J. testifies that he witnessed search and destroy missions in the Gio Linh, Con Thien area. The same area was almost uninhabitable due to constant H & I fires. He states that his unit used M-79 and canisters of cs to move civilians (Gio Linh — April 1967). **Alcott** further states that he saw in the Marble Mountain area, prisoners (2 or 3 at a time) taken up in Army choppers under direction of ARVN officers to approximately 300 feet and forcibly ejected from choppers presumably to intimidate the remaining prisoners. (**Alcott** was T.A.D. to 1st Track Co., 1st Marine Div. when this incident took place.)

John Geymann, 23, Cpl. (E-4), "M" Co., 3/3 Marines, 3rd Marine Div., (1969), St. Clair, Michigan resident testifies to the general harassment of civilians by GIs. While on the U.S.S.

Repose Geymann states that the ship's crew had great hatred for the Vietnamese. Many Vietnamese kids were on board for treatment and when there were movies shown the kids talked because they could not understand English. He witnessed many instances of the men hitting the children on their wounds and other places. He states that Marines made C/4 (plastic explosive) cookies and gave them to children. The kids got extremely sick. He mentions throwing C-rations into a rice paddy and when the civilians ran to them, dropping a grenade in their midst. He testifies to 3 GIs raping a 16 year-old girl outside of Cam Lo on Highway 9 in July 1969. **Geymann** saw the mutilated bodies of Vietnamese hanging from the barbed wire at the main gate at Quang Tri. They were left there for one day as a warning.

Paul Williams, 24, LCpl. (E-3), a Battery, 1st Battalion, 12th Marine Regiment, 3rd Marine Div., Fayetteville, Ark. resident testifies to the destruction of crops and animals, especially the shooting of water buffalo for sport. States that in Quang Nam province in April 1967 while moving down the side of a mountain the headquarters platoon came upon an unarmed civilian near a haystack. The CO of "D" Co. 1/3 Marines ordered him shot. **Williams** testifies to ARVNs beating a prisoner with rifle butts near Bon Son, south of Chu Lai in July or August 1966. American officers present made no objection. He states the attitude toward civilians was openly hostile, oftentimes resulting in GIs throwing rocks and bottles at them.

Lance S. Macnair, 22, Sgt. (E-5), Bravo Company, 1/9, 3rd MARINE Division, (1968-69), Lans Downe, Pa. resident testifies to the killing of approximately 20 NVA prisoners after his company had taken heavy casualties. Four choppers came in on emergency extraction. There was a believed NVA company coming up the hill so all the prisoners were ordered killed and they were pulled out. He also testifies to having gone into Cambodia on a patrol in Nov. 1968.

Miscellaneous

Zachary Stalberg, SP/5 (E-5), special services, 1st Logistical Command and Special Troops, (1969-70), Levittown, Pa. resident testifies to the killing of two Vietnamese civilians by a GI operating a U.S. military vehicle. The deaths were ignored by U.S. military policy and ARVN "white mice." He further testifies to other deliberate incidents of GIs attempting to hit walking or Honda-riding Vietnamese civilians in Saigon, and of the deliberate exclusion of Vietnamese entertainers from jobs in their own country by U.S. military policy.

Patrick Devereaux, 24, PFC, 497th Aviation Co., door-gunner, (1966-67), Iowa City, Iowa resident testifies to being ordered in April 1966 in Quan Loi to machine gun 40 water buffalo in a free-fire zone. He states that as a door gunner he flew into Cambodia twice, once by mistake and the second time to support mercenary forces. This took place in May 1966. **Devereaux** states that they used recon by fire from Saigon to Vung Tau.

Alexander T. Primm, IV, 26, SP/4 (E-4), Hq 1st Logistical Command, (1968-69), St. Louis, Mo. resident testifies to the official policy of not taking pictures of operations, base camps, dead or wounded GIs or Vietnamese, and especially LBJ.

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'The Major wants it slow and painful'

Creighton Dennis, 23, E-4, 31st Naval Const., Sea Bees, (1966-67), Crested Butte, Colorado resident testifies to observing ROK troops destroy a village and shoot all livestock along Rt. 1, SE of Hue. The village consisted of 10-15 hooches and about 50 people. The ROKs lined up all civilians and interrogated them with the result of shooting three. He testifies to the water torture by ARVNs of five villagers in My Son village along Rt. 1. The 1st Battalion, 9th Marines at Khe Sanh collected ears. Witnessed the rejection of Chieu Hoi passes (approximately 40) at Khe Sanh.

Thomas Morabito, 24, Sgt. (E-5), 1st ANGLCO, (1966-1967), Levittown, Pa. resident testifies to the leveling of villages by naval guns. *Morabito* states that the policy was not to shoot into villages unless automatic weapons fire was received from them but they often became frustrated and fired even though there was no receiving fire. This occurred approximately once a week, near Duc Pho in June-July 1967.

Thomas F. Ludwig, 21, SP/4 (E-4), heavy equipment operator, 85th Eng. Battalion, (1967-68), Levittown, Pa. resident testifies to the indiscriminate firing on a village near DaLat in Feb. 1968 in response to sniper fire "somewhere in the vicinity" of the village. He witnessed two bodies afterward "unarmed and presumed dead." He further testifies to H and I fire in the vicinity of DaLat, causing heavy casualties to civilians.

Ronnie Doyle Cook, 23, E-4, USS Pine Island and USS Havefield (1965-69) Houston, Texas resident testifies to harassing Vietnamese fishing fleets by breaking into them, climbing aboard their ships and threatening the people with weapons. There was no respect for Vietnamese civilians. Commanders briefed sailors in such parts as Hong Kong to respect the civilians and their culture; nothing was ever said about the Vietnamese.

David Stark, 25, SP/5 (E-5), 524 M.I.D., (1967-68), Houston, Texas resident testifies to the dropping of 6,500 pounds of bombs and strafing of Cholon area (Saigon) during late Feb. 1968. 1,300 to 1,400 bodies were found. It was estimated that 300 VC were in this area. He also testifies to mistreatment of prisoners.

Donald Carl Donner, 24, SP/4, Combat Engineer, 20th Bde., 86th Combat Engineers, (Aug. 1967-July 1968), student, Fayetteville, Arkansas resident testifies that his unit shot livestock for sport. He also states that during convoy, approximately 25 Ks south of Saigon, 12 miles North of bridge over Mekong River on Highway 1 or 4, a 5 ton truck ran over a male civilian between 45-50 years old (May 1968). CO 86th Eng. denied *Donner's* request for a dustoff. The man bled to death and the CO tried to rebuke *Donner* for calling for a chopper. *Donner* also testifies that at Bear Cat, 30 miles NE of Saigon, 50 villagers who came to the compound fleeing the VC who had taken their village were treated as the enemy and placed in POW compound with families separated. Also in the Nha Be area, the unit fired across river for no reason. A 14 year-old girl was hit and permanently lamed. On Highway 4, 12 miles north of Mekong, a dead VC (16 years old) was taken to road and tied to pole and left for three days as an example.

Mark C. Evans, 23, GMG2 (E-5), River Division 531, (Sept 1968-Sept 1969), student, Trenton, New Jersey resident testifies to results of defoliants in the Rung Sat Special Zone. Also he describes the use of H & I fires and recon by fire as a means of protecting his patrol, along the Rach Gia-Long Xuyen Canal. *Evans* also testifies that in May or April 1968 his unit held at least two "roundups" in the Rung Sat Special Zone (RSSZ). In each over 100 civilians were rounded up and their 10 cards were confiscated and then turned over to Marine S-2 and Vietnamese officials for interrogation. This was done for suspected sympathy with the NLF.

Victor H. Markle, 23, AFC, 35 S.P.G., (1968-69), Quakerstown, Pa. resident testifies to having witnessed Korean ROK forces dragging prisoners who were in steel boxes through streets. He feels that most Koreans felt that the Vietnamese are a disgrace to the oriental race.

Timon Hagelin, 21, SP/4, 243rd Field Serv. Co., 1st Log Cmmnd., (Graves Registration), (Aug 1968-Aug 1969), Janitor, Philadelphia, Pa. resident testifies to seeing many deformed babies. He also saw Vietnamese girl in convex being beaten because she refused sex with ten GIs. He saw old men shoved and punched for no reason.

Dennis Caldwell, 24, Chief Warrant Officer, CWO-2, 3-17th 1st Aviation Brigade, Ypsilanti, Michigan resident, a Cobra gunship pilot, testifies to the dropping of two white phosphorous grenades on a hooch where two Vietnamese males were known to be. The two men crawled out of the hooch with huge blisters on their bodies. Some people wanted to kill them but a Major in charge wanted "it to be slow and painful." He also testifies that it was SOP to fire at all Vietnamese who ran from the helicopters.

Harry Behret, 23, PFC, Artillery, 27th Arty, (1968-70), Queens, N.Y. resident testifies to two "incidents" of village next to 25th Infantry Division base camp in Dau Tieng being fired upon; once by perimeter guards in Sept. 1968, including an E-6 who fired M-79 rounds into houses where voices were coming from; and again in Oct. 1968, a woman was shot sitting in front of her house. Interpreter told her to "get inside before they finished her off." *Behret* contends the entire village was declared a "free fire zone" after 1800 hours — "anyone outside after 1800 would be shot." He further testifies to "duster" units used to protect the base opening up fire on the same village for 15 minutes.

Jon Bjornson, 37, Major, psychiatrist, Flight surgeon, Deputy Surgeon, USASC (Eight Field Hospital), (1964-65), Philadelphia, Pa. resident testified to the use of gas and defoliants in Vietnam and its effects on Vietnamese people, especially children.

Joseph Grosso, doctor, a Philadelphia, Pa. resident testifies to inadequate training received by doctors prior to going to Vietnam. He also testifies to the inadequate treatment of civilian casualties, and the use of the civilian population for prostitution purposes.

Jeff Dubrow, 22, HM3, Medic, USS Sanctuary and 1st Med Bn., Quang Tri (3 weeks), (June 1969-June 70),

operating room technician, Philadelphia, Pa. While an operating room technician aboard the USS Sanctuary saw most Vietnamese operated on without anesthesia. He saw a 3 year old baby thrown overboard in a plastic bag by 2 corpsmen. Also, another M.D. continually performed incorrect and unnecessary surgery, i.e. one Lt. Col had 22 of 30 negative exploratory surgeries done.

Russell Kogut, 22, WE-1, Gunship Pilot, 155th Assault Helicopter Company, (1968-69), Lansing, Michigan resident testifies to the constant violations of Cambodian air space by helicopters in 1968. He witnessed choppers going into Cambodia as far as 5 miles. He also has testimony relating to unmarked helicopters and their use.

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5th Special Forces

Ronald Poolaski, 24, Sgt. (E-5), long range patrol leader, 5th Special Forces Group, (1968-69), Albertson, N.Y. resident testifies to continual border-crossing missions into Laos and Cambodia in 1968-69 on orders of MACV-SAG. On one LRRP mission in Laos, his patrol ambushed a company-size NVA-Pathet Lao unit on orders, killing a man believed to be a Laotian prince. CIA and MACV threatened to declare his team deserters in order to cover up the incident. *Poolaski* witnessed throwing of prisoner out of helicopter by an SFC, on orders of a Captain, 5,000 feet over South China Sea (south of DaNang in Aug. 1968). He also testifies to leveling of village of Xuom Son Tui, near Marble Mountain, by gunships. The village was "pacified."

Ernest Shearin, 24, SSgt. (E-6), 5th Special Forces, (1968-69), Crested Butte, testifies to unit unwritten mutilation policy with the 2/7th Cav, 1st Cav. of collecting ears, cutting off heads of Vietnamese and placing them on tracks, and placing bodies on stakes as warnings. He testifies on the second day, on Tet 1968 that a prisoner was threatened with .45 pistol by a 1st Sgt., and then salt was poured into open head wound. Many officers were present plus a Battalion chaplain during this incident. He testifies to shooting prisoners when they were considered "extra baggage." He witnessed 160th 101st Air Aviation and Coachmen at Chu Lai throwing prisoners out of helicopters. Special Forces "A" Team was involved in the assassination of a French plantation owner in Cambodia who was allegedly friendly with area Buddhists and opposed to village province chief. He witnessed B-52 raid assessment missions where nothing was left standing (village near the A Shau Valley around Jan. 1968). He reports being on a secret mission in Laos with Marine Recon and Viet Rangers where very heavy casualties were taken. These figures were never released due to the public uproar possibility. He has testimony relating to relocations of entire heavily populated areas near Hue in early 1969 near the Rockpile — civilians

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Gravestones included in body count

were moved out and everything destroyed.

Guy Thornton, 23, Sgt. (E-5), 5th Special Forces, Jamestown, N.Y. resident testifies that in Nov. 1967, a village one mile from Song Be was attacked by U.S. artillery, mini-guns, and heavy machine gun fire after enemy fire was received. The U.S. barrage was so intense that 75% of the village was destroyed and about 70 civilians were killed or severely wounded. Subsequently, both U.S. and ARVN denied responsibility for the "mis-directed orders." In Feb. 1968, Thornton saw 150 enemy bodies being buried in open pits near Song Be. Vietnamese onlookers told him that some wounded were buried alive. In another incident at Song Be, U.S. troops saw persons moving on hill one-half mile away. The Colonel gave orders to fire with 50 cal. machine guns — over 10 minutes of continuous fire was given. The following day, ARVN troops reported extensive casualties among civilians. Thornton also testifies that on many occasions prisoners were beaten with fists and rifle butts. On one occasion, H&I fire killed an innocent family of three. No action was taken on complaint.

Steve Noetzel, 30, Special services attached to Special Forces, a Long Island, N.Y. resident testifies to the frequent use of torture to elicit information from Vietnamese suspects. Noetzel witnessed the use of electrical wiring, water torture, and the use of snakes to terrorize prisoners. He also saw suspects and detainees placed in coffin-shaped barbed wire cages by U.S. units with which he served. He says that the barbed wire gouged and punctured the flesh at the slightest movement.

Donald Pugsley, 23, SP/4, 5th Special Forces, (1969), Iowa City resident testifies to a Colonel ordering a gunship to strafe water buffalo December 1969 in Poli-Klang village. He will explain the concept of S.O.G.

101st Airborne Division

Ronald Coyle, 23, SP/4, helicopter gunner, 192nd Assault Helicopter Co., 101st Abn. Div., (1968-69), Philadelphia, Penn resident testifies to use of needles under fingernails. March 1968 Bhiat-Hiet (100 miles NE of Saigon), in interrogation of a prisoner by a Major. He further testifies to resupplying Special Forces and Korean ROK (White House Div.) troops in Laos in Sept. 1968; of receiving orders not to take prisoners, and of VC dead being buried in mass graves. Coyle contends that the entire area from Bhiat-Hiet to Cambodia (100 miles) north to Cam Ranh Bay was a free fire zone. He witnessed gunships destroying villages and the killing of a fisherman near Bhiat-Hiet.

Mike Clodfelter, 24, E-5, 101st Abn. Div., Hays, Kansas resident testifies to his squad leader slitting the throat of a Vietnamese sleeping on his porch in full view of the platoon leader (Oct. 1968, Tuy Hoa). During a battalion sweep a month later a village doctor (unarmed) was shot and then mutilated by several men. Clodfelter states that while in Phu Yen province after suffering heavy casualties, his outfit burned all huts and hamlets in their path out of revenge. It was only stopped when the province chief complained to the battalion. On two occasions the company commander berated his men after returning from operations because the body count was too low and stated a higher body count was desired. Clodfelter testifies to one individual who carried parts of the bodies of two Vietnamese he had slain (an old couple) in a plastic bag in his rucksack (livers and scalps). This man was considered a good fighting man by the command.

Fred R. Bernath, 26, 1st Lt., 101-MP Co., 101st Abn Div., (1968-69), Somerset, N.J. resident testifies to the use of electrical torture by field telephones. He states this is "unofficial standard procedure." This was done next to LZ Sally. He also testifies to shooting tear gas from M-79 grenade launchers at civilians near a garbage dump.

Bill Perry, 23, PFC (E-3), A Co., 1/506, 101st Abn., (Nov. 1966-Aug. 1968), metal caster, Philadelphia, Pa. resident testifies he took part in burning of village (July 1968) because two 82mm mortar rounds were found. He also testifies to the moving of 50 women and 50 children to a POW camp. He recounts an ambush in which his unit called in air strikes hours after the ambushers fled. After leveling all the structures in the area they went from house to house first throwing in frag grenades, and then entering and throwing W.P. grenades in every bomb shelter despite screams and pleas from the villagers.

Lee Lubinsky, 23, E-5, infantryman, 2/501st and 2/502nd, 101st Abn., (1967-68), San Bernardino, Calif. resident testifies that he witnessed H & I fire every night of his tour in Thua Thien Province (I Corps) causing environmental destruction. He testifies to seeing refugees from Hue after the Battle of Feb. 1968 being herded into barbed wire surrounded "strategic hamlets" like cattle. He testifies that eight M-274 quarter-ton truck drivers combined with a unit of the 25th Inf. Aiv. to "liberate" a cache of rice. He testifies to being ordered to bury forty water buffalo killed by helicopter door gunners with M-60's. He testifies that his unit stockpiled and used C.S. and D.M. (a gas to induce vomiting) in the village of Phuc Xen in Quang Tri Province and taking of prisoners, both armed and unarmed. Prisoners were bound with sand bags over their heads after being placed on trucks and were given neither food nor water during the 16 hour journey over mined roads. He testifies that in May 1969 his platoon leader, a Sgt. E-5, emptied an M-16 magazine on a wounded prisoner, and then split his money with a 1st Lt., their XO. He testifies to placing cards saying, "This man was a V.C. Now his wife is a widow," on the mouths of male bodies and in the vaginas of female bodies, while his unit was attached to A Co. 2/502nd, 1st Bde, 101st Abn. Div.

82nd Airborne Division

Bill Magee, 23, SP/4, Long Range Recon, 82nd Airborne Div., (1967-68), North Wales, Pa. resident testifies

to witnessing 10-15 civilians shot for no reason in Aug. 1968, on Highway 1 between Hue and Phu Bai.

Ted Van Loan, 25, SP/4, infantryman, 2/505th, 82nd Abn. Div., (March 1968-Dec. 1968), Hamilton, N.Y. resident testifies to firing of H & I missions in Thua Thien province when civilians were known to be in the area. He further testifies to recon by fire in the same area, and of torture used on POWs.

Allan Crouse, 22, E-4, Engineers, 3rd Bde., 82nd Abn., (Jan. 1969-Dec. 1969), student, Philadelphia, Pa. resident testifies he observed search and destroy mission including the burning of a village on intelligence reports from the ARVNs. Also, Crouse knows a truck driver who ran over civilians for sport. He also states the general attitude while clearing an area would lead them to set charges in hooches and then let the family worry if they could pack and get out in time.

173rd Airborne Brigade

Richard T. Altenburger, 26, E-4, helicopter mechanic, 173rd Abn. Bde., (1965-66), Philadelphia, Pa. resident testifies about orders passed down from Commanding General that villages and anything in the villages were to be destroyed. He witnessed the burning of a village near Ben Cat in Binh Duong province in Sept.-Nov. 1965.

Vance G. Gainer, Jr., 22, Sgt. (E-5), Communications, 1883 Comm. Sqd. attached to 173rd Abn., (Oct. 1968-69), student, Akron, Ohio resident testifies that between Feb-March 1969, 2 or 3 villages in Binh Dinh were partially burned to eliminate caches and sympathizers. Livestock was shot for no reason. He also states that artillery and air called in after light contact from village without warning civilians. Body count inflated by estimating number of dead in destroyed huts. He encountered 5-10 malformed babies (no arms and facial distortions) in heavy defoliated area outside of Bien Hoa. Gainer also saw prisoners roughed up in front of 1st Lt. He heard orders given 5 or 6 times by CO not to take prisoners.

Mike C. Erard, 29, SP/5, 3/503 Inf., 173rd Abn Bde., (1968-70), Detroit, Michigan resident testifies to his unit never taking a Hoi Chanh alive. Near Bao Loc, Lam Dong province, Erard testifies to hearing WIAs reported and minutes later they were reported as KIAs. He says 10 unarmed civilians were killed in An Hoa Valley, Binh Dinh province during the 6 week period his battalion was there.

25th Infantry Division

Martin Jordan, 23, SSgt. (E-6), squad leader, 2/12th Inf., 25th Inf. Division, (1966-67), and 5/46th Inf., 198th L.I.B. (armored division 1968-69), Fayetteville, Ark. resident testifies to shooting of two surrendering VC soldiers (one a "Chieu-Hoi") on separate occasions; one prisoner was shot by a 2nd Lt. with the 2-12-25th; the troops were told "if we need prisoners, we will tell you." He testifies that implied orders not to take prisoners were pretty much S.O.P. at briefings before operations. He testifies to beatings of prisoners, including pregnant women, and of a sgt. major pistol-whipping an NVA prisoner in front of a U.S. Lt. colonel; of forcible removal of villagers and of villages pillaged and burned; and of artillery being called in on villages in response to sniper fire. With C-2-46th-198th, Jordan witnessed artillery strike on village outside LZ Gator in I Corps, killing 17 civilians. The incident was hushed up. He further testifies to other "incidents" on search and destroy missions on Operation Junction City, Cedar Falls, Attleboro, and Manhattan.

Eugene (Sonny) Keys, 25, SP/4, heavy weapons, 3/4 Cav., 25th Inf. Div., (1966-67), Brentonville, Ark. resident testifies to operations in Cambodia in Dec. 1966 on "Operation Attleboro" on orders of Battalion commander. On "Operation Junction City," in Jan. 1967, he witnessed an entire village west of Ho Bo woods destroyed after villagers were forcibly removed (at gun-point) by helicopter to Cu Chi. In another "incident" in the same area

(west of Cu Chi on Rt. 1), he witnessed armor destroy village, kill one woman, after infantry received sniper fire. He further testifies to livestock and rice destroyed by artillery fire, civilian wounded refused medical aid, and other "incidents" on search and destroy missions.

Dennis Butts, 24, SP/4, infantryman, 2/12th Inf., 25th Inf. Div. and 4/39th 9 Inf. Div., (1966-67), Madison, Wisconsin resident testifies to killing and wounding of civilians by perimeter guards, including the wounding of a 15-year-old boy next to his hut near Dau Tieng in Jan. 1967. In the winter of 1966, perimeter guards opened fire on same village with machine gun, killing seven civilians, wounding 16. He further testifies to mortar unit firing illuminating rounds into village, setting huts on fire, and laughing at villagers fleeing their burning huts.

Howard Houston, 25, Sgt. (E-5), 2/22 25th Inf. Div., (1969-70), Fayetteville, Ark. resident testifies to company commander firing on groups of civilians, mainly children, with an M-79 or M-16 to keep them away from their position. *Houston* testifies to a prisoner who had been shot by a .50 cal. machine gun east of Dau Tieng on the west side of the Saigon River (Cal Cui Rubber Plantation) being denied medical attention. The CO of the company was aware of this action and took no action to remedy it.

David Chiles, 24, SP/4, medic, 3/4 Ca., 25th Inf. Div., (1968), student, Atwater, Ohio resident testifies that in the Iron Triangle the 3/4 attached to 4/23 Mech. on one track, two dead VC were dragged around, their ears were cut off and hung to dry — he witnessed two GIs (one with pliers) fighting over gold fillings in teeth. This pulling of teeth was also witnessed by 1st Lt. *Chiles* states when the body count was low and the unit had suffered heavy casualties, the colonel wanted higher count so he ran convoys from Chu Chi to Tay Ninh to Dau Tieng in hopes of being ambushed. Men felt like guinea pigs for the colonel. A number of ambushes resulted in higher U.S. casualties and still small enemy KIAs. Tracks fired wildly and once fired into hooch killing two children and one old man. *Chiles* also testifies he accidentally hit a civilian on a motorcycle but M.P.s would not help and officer with him stuffed money in unconscious man's pocket and they drove off.

Vernon Shible, 27, SP/4, 25th Div., (1966-67), Jackson Heights, N.Y., testifies to the censoring of news stories and not mentioning civilians killed, GIs killed or anything about operations near the Cambodian border. *Shible* testifies to being denied showing GIs with shotguns and American deaths were always reported from enemy fire or booby traps even though they were killed by our own people.

Lawrence Craig, 29, SP/4, 25th Div., (1966-67), Chicago, Ill. resident testifies to seeing a 13 to 14 year old boy who may or may not have been VC shot while unarmed and laying down (in Tay Ninh Province in the Spring of 1966). He also testifies to walking through an old graveyard (14 graves) and including them in the day's body count.

1st Infantry Division

Michael Stevens, 23, E-5, truck driver, 54th Signal Bn. and 1st Infantry Division, (1969-70), University Park, Md. resident testifies to participating in invasion of Cambodia in May 1970 and of H&I fire near Lai Khe at Tet 1970 which destroyed rubber trees and water buffalo.

Wayne Novick, 22, SP/4, (E-4), 1st Bn., 26th Inf., 1st Inf. Div., (1969-70), Dobbs Ferry, New York resident testifies to company commander issuing order not to take prisoners and to reject "Chieu Hoi" passes in Aug. 1969. He testifies to burning of Ben-Chua village by ARVN soldiers with full support of American officers. On Sept. 8, 1969, after springing an ambush, he testifies to one VC survivor whom the squad leader killed with 20 rounds.

John Lytle, 24, SP/4 (E-4), 6/15th Arty, 1st Div., (1967-68), Hays, Kansas resident testifies to crossing into Cambodia on a search and destroy mission in Nov. 1967 and making contact with the NVA. He further testifies to torture of prisoners including putting VC POWs in open barbed wire cages for 1 1/2 days during the monsoon season, denying them medical attention, and food and water. A major was present.

4th Infantry Division

Tom Barrett, 26, SP/4, radio operation, Co. "C" 4th Medical Bn., 4th Infantry Division, (1969-70), Hayes, Kansas resident testifies to seeing a VC who had been shot in the back denied medical aid and assumed dead by the head doctor. The majority of medics felt he was still alive but the doctor made his decision without examining the man. Eventually the man died and the body was used for experiments (i.e., showed how I.V.s were administered and a tracheotomy). After the body had served its purpose, it was thrown out of a helicopter into the jungle.

Ron Elliott, 21, SP/4, infantryman, 1/35th Inf., 4th Inf. Div., (Sept. 1968-May 1969), Detroit, Michigan resident testifies that at a village west of Pleiku his company took sniper fire. The company responded by firing M-79 WP rounds into the village. This was done without warning. After huts were burning, one platoon swept the village and found no snipers, only a wounded child; the child was not given medical aid. Also, *Elliott* says his unit shot livestock for sport from convoys, and generally treated civilians poorly.

John T. Hartner, 26, Sgt. (E-50), Operations and Intelligence, H&HD 3rd Bde., H&HD 2nd Bde., 4th Inf. Div., (Nov. 1969-Aug. 70), student, St. Louis, Mo resident testifies that in his capacity in Bde. TOC he was able to examine and correlate field reports. As a result, he can testify to Bde. S.O.P. about search and destroy, recon by fire, etc. He specifically states as an example, that on Feb. 1, 1970, three women were wounded and one baby killed by a gunship (Coor. AR941691). The Brigade S-3 refused report until incident was deleted dead Vietnamese could not be listed as civilians).

9th Infantry Division

Franklin Shepard, 23, SSgt. (E-6), 5/60 9th Div., (1969), Plymouth, Michigan resident testifies to processing 100 "SAT CONG" badges. These badges were awarded to men who personally killed a Viet Cong. *Shepard* has the orders, leaflets and the reply from the Army after this was investigated by a Senator. The Army letter to Senator Hart states that because of "the untimely deaths of both the commander of the 3rd Brigade, 9th Inf. Div. and the commanding officer of the 5th Bn., 60th Infantry, further information concerning this badge and its origin is not available to us."

Michael Farrell, 24, SP/4 (E-4), rifleman, "A" Co., 2/60, 9th Inf. Div., (1967-68), Detroit, Michigan resident testifies to burning of village during Easter 1967 in Long An Province for no reason. *Farrell* states he saw a man shoot a child in the village of An Neut Tan in order to scare him and make the child leave a garbage dump. He testifies to seeing an NCO kick a prisoner and step on his wounded foot in the same village. He says often times crops and animals were destroyed, in one case by his platoon leader.

Henry Velez, 22, Sgt., infantry, "B" Co., 2/39 Inf., 9th Inf. Div., (Jul 1968-Jul 1969), student, Brooklyn, N.Y. resident testifies to the burning of three villages and many search and destroy missions (Long An Province). Also S.O.P. to destroy crops and livestock. He further states that during Operation Wagon Wheel on the Plain of Reeds in Nov. 1968, villagers were killed. *Velez* also testifies that he saw one prisoner shot two Ks northwest of Rach Kein after an ambush. He testifies to the inflated body count and Med cap count due to competition among colonels.

John M. Henry, 26, SP/4, 2/60 - 11th Arty, 9th Div., (1968-69), Detroit, Michigan resident testifies to shooting of water buffalo and burning of villages in Long An Province. *Henry* testifies to having seen a prisoner nearly drowned during interrogation in the Rocket Belt, northwest of Saigon, and that the general attitude toward civilians was nonhuman.

William Rice, 21, SP/4, rifleman, 3/4, Inf., 9th Inf. Div., (Jan 1969-Jan 1970), Vineland, N.J., testifies to the burning of village to deny use to VC in Kien Hoa Province, regular H&I fires, and accidental killing of villagers. He also witnessed the detaining and torture of civilian suspects. *Rice* states he saw a prisoner's

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throat slit by a GI while a medic was treating him.

Carl Ripberger, 23, E-4, "K" Troop, 11th ACR, (1967-68), Detroit, Michigan resident testifies to the ill treatment of POWs by his unit. *Ripberger* states that field grade officers were in the area and said nothing about the treatment. He witnessed hooches burned for no reason. The above incidents took place in Phuoc Tuy Province east of Saigon.

Americal

Nathan Hale, 23, SP/5, interrogator-linguist, Military Intelligence Detachment, 198th Light Inf. Brigade, Americal, (1967-68), Coatesville, Pa. resident testifies to the tying of prisoners to splash boards of APCs, a common practice of the 1/1st Cav., which killed several POWs by drowning. Another practice of this unit was not to take detainees, an order *Hale* heard the unit commander give. He further testifies to torture and killing of POWs by ARVN Field Police in presence of U.S. officers, including a Lt. Col. *Hale* also testifies to methods of torture used by his interrogator unit, often with field grade officers observing. They were told to

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...But don't get caught'

get information by any means "but don't get caught."

John Holman, 25, 1st Lt., 4/21 11th Inf. Bde., Americal, platoon leader. (1967-68), Tarrytown, New York resident testifies to policy of unit to shoot unarmed civilians if they ran from GIs after they had called "Dong Lai" (Halt) three times. He states that this could be said and was said very quickly sometimes causing death to several civilians. *Holman* testifies to the burning of villages upon little provocation.

Joseph Hereford, 23, Sgt. (E-5), squad leader, "D" Co., 4/31st. 196 L.I.B., Americal. (1969-70), Houston, Texas resident testifies to the killing of villagers in Quang Nam Province (Hamlet Phu Nan 3) in early March 1970. The civilians ran from the point patrol. He testifies on search and destroy mission to finding five villagers in a restricted area in the presence of the Bn. CO, XO and Company CO. The five were beaten by an ARVN Sgt; there was no reaction on the part of the U.S. officers. This happened in Quang Nam Province. Hef Duc village.

Jim Weber, 24, Sgt., Co. "A," 1/6 198 Light Inf., Americal, Verona Pa.

resident testifies to the burning of a village because they had too much rice. *Weber* testifies to trying to feed a prisoner detainee food and the Lt. kicking the food out of the prisoner's mouth. *Weber* told the officer he couldn't do that and the officer threatened an Article 15 and a court-martial. Nothing came of it. *Weber* testifies to a man "escaping" from a helicopter, i.e., being pushed out. He also testifies to the shooting of innocent civilians.

Joseph Galbally, 23, SP/4, infantryman, 1/6 198th Brigade, Americal, Philadelphia, Pa. resident testifies to the employment of "Rat Patrols" as S.O.P. while stationed at LZs Baldy and Center in the Spring of 1968. The concept was to go into a village at night and any time a noise was heard, to open up with everything. He recounts one incident where several civilians were killed in a friendly village just outside of the base camp. On the following day, the local village chief came to the base camp to beg the C.O. to stop killing the people for no reason. He was mistreated and thrown out of the camp. *Galbally* also testifies to several incidents where suspects were murdered in the field for failure to produce an ID card.

Edward Murphy, 23, Sgt. (E-5), 1/6 198th Brigade, Americal, Philadelphia, Pa. resident corroborates *Galbally's* description of Rat Patrols and the particular incident where several civilians were killed. *Murphy* also testifies about the bur-

ning of villages as S.O.P. during search and destroy operations and the murdering of unarmed suspects in the field.

Bob Anderson, 26, Sgt., Infantry, Americal, Minneapolis, Minn. resident testifies to the often indiscriminate killing of Vietnamese civilians and the wholesale destruction of Vietnamese property. As an example, *Anderson* relates one incident in June of 1968 ten miles west of Tam Ky where his commanding officer was attempting to interrogate local villagers. One young boy began to skip off the play and was shot and killed by the officer in command.

Don Ozagulones, 23, SP/5, 1st team, 645 MID, (1969), Wyandotte, Michigan resident testifies on March 1969 at HQ 11th Bde. at Duc Pho, he witnessed the Bde. S-2, a major, torture a wounded NVA by prodding wounds and using smelling salts because the prisoners would not respond to questioning. The incident occurred at Bde. aid station and was witnessed by a doctor and two MPs, none of whom took action to prevent the torture. In Aug. 1969 at Duc Pho, two CIA agents interrogated a suspected spy with the aid of a field phone and beating. The interrogation ended with the prisoner unconscious. The agents then placed him in a jeep and dumped him north of Duc Pho on Highway 1. *Ozagulones* further testifies that in June 1969 at Duc Pho, he conducted an interrogation in which Scout Dogs were used to coerce the prisoners. The dogs were restrained by their handlers, but one prisoner was bitten on the leg.

Robert A. Kruch, 25, PFC (E-3), Company "A", 3rd Btn. 21st Infantry, 196th Light Infantry Brigade, Americal, East Lansing, Michigan resident will testify to the reason his company refused to advance on hostile positions in August 1969. He heard his battalion commander say to his company commander, "I don't want anymore of your goddamn prisoners; I want a body count." Shortly after this, his platoon leader issued orders to engage any male Vietnamese encountered in a free fire zone, over 12 years of age, as an enemy soldier.

Barry Romo, 23, 1st Lt., 196th L.I.B. 11th Inf. Bde., Americal, (1967-68), San Bernardino, California resident testifies to burning of villages by delayed action devices after the unit exited the village. Testifies to seeing H&I fires every night on areas in which noncombatants were known to be present. He testifies to seeing forced removal of civilians to "new life hamlets" in August and November 1967. He testifies to recon by fire in I Corps.

William A. Bezanson, 24, PFC, "C" Co., 4/3rd 11th Bde, Americal, and 123rd Aviation Bn., (1967-68), Detroit, Michigan resident testifies to seeing approximately 60 bodies from the air on March 16 in My Lai. *Bezanson* states his unit rarely took Chieu Hoi passes and often tortured prisoners. He testifies to burning an entire friendly village where 15 people were killed (he saw four bodies personally — one old man, one woman, two teen-agers). He also testifies to receiving orders to destroy everything in mountains in I Corps.