

**STATEMENT BY ACCUSED OR SUSPECT PERSON**  
(AR 195-10)

PLACE Fort Bragg, N. C.	DATE 3 Nov 60	TIME 1340	FILE NUMBER 70-C15011-00012
NAME, FIRST NAME, MIDDLE NAME SCHIEL, Kenneth (NMN)	SOCIAL SECURITY ACCOUNT NO. 362-50-6883		GRADE CPL
ORGANIZATION OR ADDRESS Hq Hq Co, 1st Bn, 504th Inf, 82d Abn Div, Fort Bragg, NC			

**PART I - WAIVER CERTIFICATE**

I HAVE BEEN INFORMED BY Robert B. Graham  
OF Criminal Investigation Division  
THAT HE WANTS TO QUESTION ME ABOUT Murder, Violation of the Laws of War  
OF WHICH I AM ACCUSED OR SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.  
I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.  
I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.  
I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT, I MAY STOP ANSWERING QUESTION AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.  
I ~~(DO)~~ (DO NOT) WANT COUNSEL.  
I (DO) ~~(DO NOT)~~ WANT TO MAKE A STATEMENT AND ANSWER QUESTIONS. *Kenneth Schiel*  
(Signature of Person To Be Questioned)

INTERROGATOR: *Robert B. Graham* (Signature) WITNESS: *Wilson B. Bryant* (Signature)  
ROBERT B. GRAHAM (Typed Name and Organization) WILSON B. BRYANT (Typed Name and Organization)

**PART II - SWORN STATEMENT**

I, Kenneth Schiel WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: I was assigned to Co C, 20th Inf, 11th Inf Bde, Americal Div, on 20 Apr 67. I was further assigned to the second platoon as a grenadier and worked my way up to squad leader while in country. Sometime around the first part of Apr 68, my unit went on a search and destroy mission to My Lai 4 in the Republic of Vietnam. I am not sure of the date or month. The day prior to the operation I attended a briefing given by CPT MEDINA, the company commander, who stated that we were going into "Pinkville"; that we had been there before and had always suffered losses, but that this time we were going to kill everything that breathed in the village. I can't remember if it was put out in the operation order, but once we were in the village, we were also instructed to burn the village. We were CA'd into the village by chopper and I was on the first lift. As the first lift landed, we set up a perimeter around the L2 and awaited the arrival of the other lifts. When the whole company was on the L2, we WERE went into the village on a line. The L2 was on the left or west side of the village and we drove thru to the east side of the village. I was in the second platoon on the left or north side of the line and the 1st platoon had the right flank or south side of the village. The 3d platoon w/hqs was to bring up the rear. At least that is how the operation order read. I am not sure if that is how it was. We drove on through My Lai #4 and then swung north and hit My Lai #5.  
Q. Did you encounter any hostile fire when you landed?  
A. I don't really know because guns were going off all over the place. The choppers were firing from the air.

EXHIBIT <u>D</u>	INITIALS OF PERSON MAKING STATEMENT <i>KS</i>	PAGE 1 OF <u>    </u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF      TAKEN AT      DATED      CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE      OF      PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2820  
1 OCT 67

FOR OFFICIAL USE ONLY

Statement of CPL Kenneth SCHIEL, taken at Fort Bragg, NC, dated 3 Nov 69,  
Cont'd:

- Q. Did you see MEDINA shoot a Vietnamese man or woman on the edge of the village?
- A. No, I did not. I was out in the rice paddies when we moved out.
- Q. Did you see any groups of Vietnamese villagers rounded up?
- A. No, I did not.
- Q. Who was your platoon leader?
- A. Lt. BROOKS was at that time. He was killed later on.
- Q. Who was your platoon sergeant?
- A. SGT BUCHANON. He and I both got hit the same day, 12 May 68, on Hill #387, Cui Son Valley.
- Q. Where was BUCHANON during My Lai 4?
- A. He was to the rear of the platoon. I did not see him as we were mostly out in the paddies.
- Q. Did you see CALLEY at any time during My Lai #4?
- A. No, I didn't. Not to the best of my knowledge.
- Q. Who were the members of your squad?
- A. BERNHARDT, TREVINO, RODRIGUEZ, FRITZ, CROSSLEY. I think that was all I had. My squad was always short.
- Q. Did you have a machine gun team assigned to your squad?
- A. No, there was one assigned to the platoon. That was HUTSON, but it remained in the village during the sweep.
- Q. Did you know a SGT TORRES?
- A. Yes, but I can't recall who he was with.
- Q. Did you see CROSSLEY shoot a woman and a baby?
- A. No, I didn't.
- Q. Did you know MOWER and HUTTO?
- A. Yes, I did. They called MOWER "Hollywood." I don't know which squad they were in with.
- Q. Did you see either MOWER or HUTTO shoot any unarmed villagers at My Lai 4?
- A. No, I did not.
- Q. Were you present when HUTSON and some other men from Co C executed a group of about 10 villagers on the eastern side of My Lai 4?
- A. No, I did not see it.
- Q. Did you hear about it?
- A. No, I did not.
- Q. Did you see any Vietnamese villagers indiscriminately shot and killed by members of Co C during My Lai #4?
- A. No, I did not.
- Q. Did you see WRIGHT kill an old man?
- A. No.
- Q. Was the order given to stop shooting during the operation in My Lai #4?
- A. Yes, after we had been in the village for a while, the order came from CPT MEDINA to stop shooting.
- Q. Were any prisoners taken during My Lai 4?
- A. Not that I know of.
- Q. Did you see a LOH land in the village during the operation?
- A. No, I didn't. I heard about it, but all of that stuff happened on the other side of the village in the sector assigned to 1st platoon.

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Statement of CPL Kenneth SCHIEL, taken at Fort Bragg, NC, dated 3 Nov 69,  
Cont'd:

- Q. Did you see any groups of Vietnamese bodies at any time after you got into the village?
- A. I saw an odd group of 2 or 3. No more than that in that village.
- Q. Did you see a temple on your way through the village?
- A. No, I don't recall seeing one.
- Q. Did you see any dead children on your way through My Lai #4?
- A. Yes, I saw some. I couldn't swear to the fact that they were dead, but they had been shot.
- Q. How many did you see?
- Q. I couldn't say off hand. I have no idea.
- Q. How many dead people did you see in all?
- A. I would say less than 40. I really don't know.
- Q. How long was Company C in the village?
- A. We were in first thing in the morning, but I can't recall what time we left as we moved on up to My Lai #5 after that.
- Q. Did you yourself shoot anyone you would consider to have been an unarmed civilian during My Lai #4?
- A. Not on the basis of what my orders were.
- Q. Was an investigation conducted by the unit or Division while you were in country?
- A. We were told by someone from the company, I think it was CPT MEDINA, that the unit had been under investigation for what had happened at My Lai #4, but that the investigation had been dropped.
- Q. Do you recall being told by MEDINA that there was going to be an investigation and that you were not to say anything?
- A. He might have had a meeting, but I don't recall.
- Q. What was the population of My Lai #4 prior to the operation?
- A. I don't know.
- Q. Do you have anything to add to this statement?
- A. Yes, I would like to add that we had been told prior to this operation that the village had been warned that a combat operation was to take place there and that all persons not VC were to move out of the village. We were then told that all that remained in the village would be VC's or VC sympathizers. I would also like to add that this operation was a mistake and I think the orders had to come from higher headquarters. Our orders were to kill every living thing in the village, human and animal.

STATEMENT (Continued)

... I have read or have had read to me this statement which begins on page 1 and ends on page 4. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

INITIALS OF PERSON MAKING STATEMENT

DATE: 11/03/69

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... I have read or have had read to me this statement which begins on page 1 and ends on page 4. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

AFFIDAVIT

I, Kenneth SCHIEL, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

*Kenneth Schiel*  
(Signature of Person Making Statement)

WITNESSES:

W. D. B. Bryant  
WILSON B. BRYANT  
Crim Inves

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3 day of November, 1969 at Fort Bragg, NC

*Robert B. Graham*  
(Signature of Person Administering Oath)

ROBERT B. GRAHAM, Crim Inves  
(Typed Name of Person Administering Oath)

Art 136(b)(4), UCMJ, 1951

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

*KS*