

JW

JN 34 DAT

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of The Provost Marshal General.

PLACE Quang Ngai, Republic of Vietnam (RVN)	DATE 24 Dec 69	TIME 1900 hrs	FILE NUMBER 69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME MCLELLAN, Kenneth Paul	SOCIAL SECURITY ACCOUNT NO.		GRADE CW2
ORGANIZATION OR ADDRESS An Khe Field Office, Det E, 8th MP Gp (CI), APO SF 96294			

SWORN STATEMENT


I, Kenneth Paul McLellan, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

INVESTIGATOR'S STATEMENT

On 24 Dec 69, an interview with Phom DAT began at 0850 hours and terminated at 1205 hours. It was conducted through Allen B. MADDOX, Interpreter. DAT's personal data is:

Name: Phom DAT
ID#: 065762
Address: Hoi Cu, Son My Village, Son Tinh District, Quang Ngai Province
DOB: 2 Sep 28
POB: Son My Village, Son Tinh District, Quang Ngai Province
Occupation: Farmer
Sex: Male
Marital Status: Widower

DAT stated substantially as follows: His former residence was in Tu Cung Hamlet, Son My Village (My Lai #4) in a house located in the Northern portion of the village just inside the village tree line. Using a pagoda as a reference point, he marked the general location of his house on a sketch. Early one morning in Mar 68 American soldiers landed in helicopters outside the village tree line on the Western side of the village. He saw the helicopters come but did not see the actual landing. At this time he was in his home with his wife Phung Thi Ly, Age 33, now deceased; Pham Thi LOM, his daughter, age 12; Pham Thi CHI, his daughter, age 8; Pham Dan DANH, his son, age 5; and Pham Thi DU, his daughter, age 3, now deceased. His children currently reside with him. Shortly after the helicopters came five American soldiers entered his home, gathered up the family, and brought them outside. The entire family was taken to a ditch located about 300 meters from his home, outside of the village tree line, on the Eastern side of the village. He owned four cows, three pigs, and ten ducks which were in a garden area near his home. He saw several of these animals and fowl shot by the American soldiers before he was taken away from his home and he believes they killed the remainder of them later. As he was being taken away from his home he looked back and saw his home burning. While walking toward the ditch, through the village area, he saw several other homes burning, but could not recall the owners of the homes. He saw no dead persons on the way to the ditch. He and his family were placed beside the ditch with many other Vietnamese, both male and female, of all ages, but he could not estimate the total number of people at the ditch. About seven white and three colored soldiers stayed at the ditch with the Vietnamese. After the group at the ditch was sitting around for about an hour two of the white soldiers began firing into the group and killed many of them. He could not recall if these were the same soldiers who came to his house and later brought him to the ditch. He was shot in the left foot, left thigh, right thigh, and chin. He layed in the ditch for some hours in fear and playing dead. There were numerous dead vietnamese in the ditch. He later got up and looked for members of his family. He found his wife and daughter Pham Thi DU dead. His daughter Pham The LOM was wounded in the right thigh, his

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT 	PAGE 1 OF 2 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 2823
1 JAN 68

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STATEMENT (Continued) daughter Pham Tai CHI was wounded in the right ~~leg~~ lower leg, and his son Pham Dan DANH was wounded in the left foot. He got the wounded children together, made his way to the nearby highway, and they were picked up by an unknown Vietnamese and transported by truck to the Quang Ngai Hospital for treatment. The following relatives of DAT were also in the group at the ditch and killed by the soldiers: Co Thi PHUNG, age 75, his mother; Pham CUU, age 70, his father; Pham Thi NHO, age 32, his sister; Pham DUM, age 37, his brother; Nguyen Thi SAM, age 31, wife of his brother DUM; Pham Thi KHANH, age 9, daughter of his brother DUM; Pham CU, age 5, son of his brother DUM; Nguyen Thi DAU, age 40, his sister, and Pham Thi MUI, age 14, daughter of his sister DAU. Others known to DAT as being killed at the ditch are Pham LAN, male, age 54; Pham HUNG, male, age 15; Nguyen Thi ANH, female, age 50. He did not actually see all the bodies of these individuals in the ditch, but was told later by others that they had been killed at the ditch area by the American soldiers. He does not recall how all of these people were gathered up and brought to the ditch. He could not recall seeing any soldiers molesting females or hear of any rapes that took place that day. The deceased members of his family, relatives and others were later buried by unknown persons at various locations around the village. He identified the approximate areas of graves on a sketch as he did others homes and landmarks. He could locate various grave sites if taken to the village. He received no prior notification that American soldiers were coming that day and he could not recall if there was any artillery fire on the village previous to the soldiers arriving. There have been Viet Cong in the village many times in the past, but there were none in the village that day, to the best of his knowledge. DAT identified the Vietnamese male in the photograph made from negative frame number 34 as Truong CHAU, whose wife was supposed to have been killed that day. The two boys with him are his nephews, names unknown, who are residing with him at an unknown address in Saigon, RVN. He identified the male in the photograph made from negative frame number 21A as Do NGUYEN, who was not killed that day, but is now deceased from apparent natural ~~man-made~~ causes. The deceased female in color photograph number 7 was identified by DAT as Nguyen Thi TAU. A photograph of DAT was obtained.

DAT appeared to be well oriented with the sketch made by him during the interview. He was able to spell and write fairly well, but unable to effectively estimate numbers and distances.

AFFIDAVIT

I, Kenneth P. McLellan

HAVE READ OR HAVE HAD READ TO ME THIS STATE-

MENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. 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.

WITNESSES:

Alban B. Maddox
SA Allan B. Maddox,
524 MI Det, APO SF 96307
ORGANIZATION OR ADDRESS

[Signature]
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24 day of Dec, 19 69 at Quang Ngai, RVN

Arvil J. Kirk Jr.
(Signature of Person Administering Oath)

Arvil J. Kirk Jr

(Typed Name of Person Administering Oath)

Art 136 par (b) (4), UCMJ, 1969

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

From the Church
From the
Nightingale
From the

Boats taken by Fish and
Game Com. and American
guards to destroy.

ditch where
Victoria was
washed out

1000

17

From John's house
From the first town house
From the second house
From the third house
From the fourth house
From the fifth house
From the sixth house
From the seventh house
From the eighth house
From the ninth house
From the tenth house

(Primo Dm. ~~was~~ in late
August in some ways
known in knowledge)

MEMORANDUM FOR THE RECORD

TRANSLATED FROM THE SKETCH OF
Pharm. Bot. fig. —

My Lai Namlet
Maddox

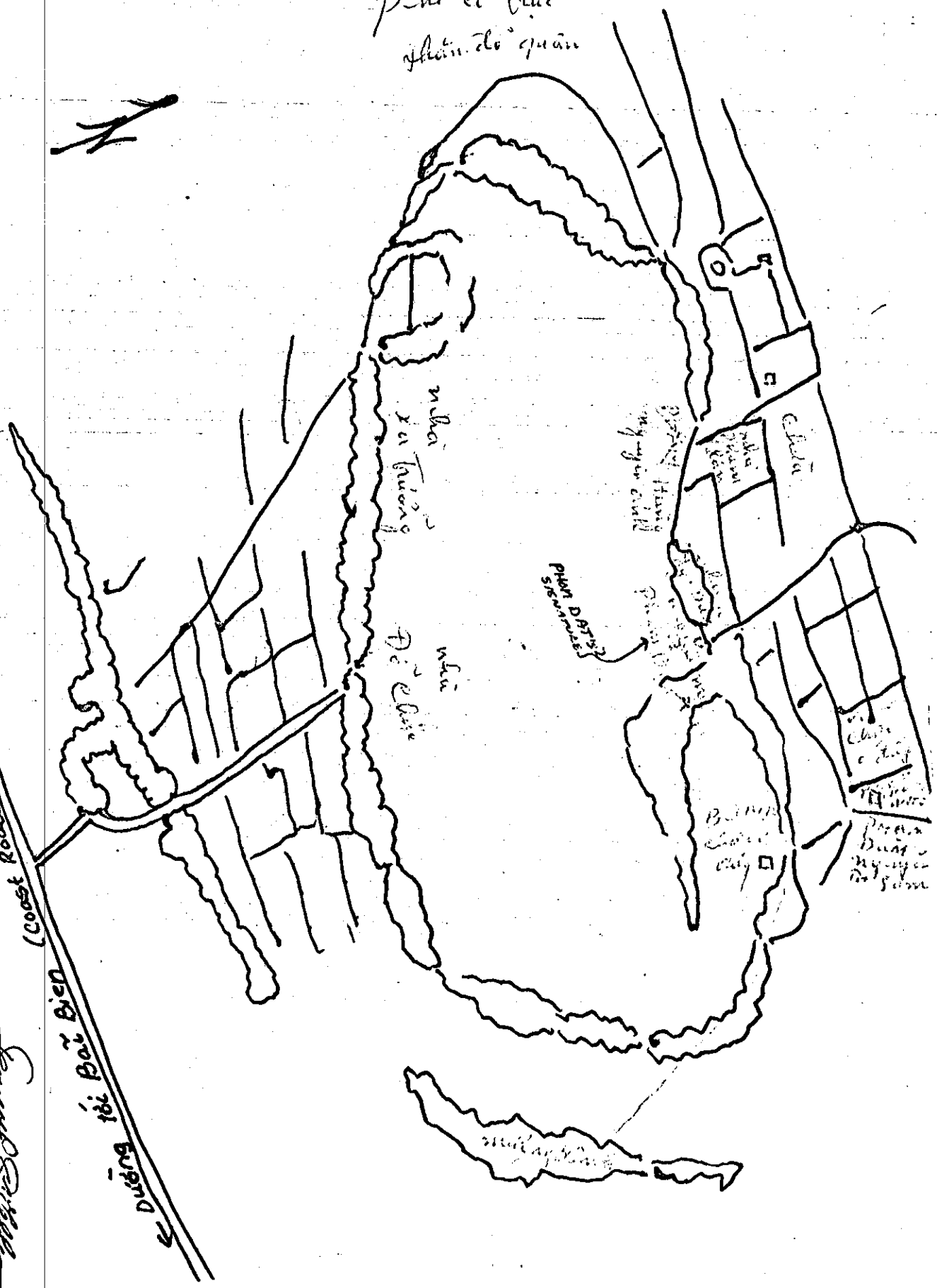
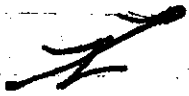
Coast Road

Đường lối Bảo Việt

Ấp Mỹ Lai (4)

Mỹ Lai Namlet

Phố cổ Trục
thần do quân



(COOR 15007)

Đường 101 Bãi Bùn

Ấp Mỹ Lai (4)

Đường 101 Bãi Bùn
24 Dec 69