

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 25 Dec 69	TIME 2330 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 25 Dec 69, an interview with Nguyen KHOA began at 1530 hours and terminated at 1800 hours. It was conducted through SA Allan B. MADDOX, Interpreter. KHOA's personal data is:

Name: Nguyen KHOA
ID#: 066446
Address: Son My, Son Tinh District, Quang Ngai Province, RVN
DOB: 22 Jul 33
POB: Son My, Son Tinh District, Quang Ngai Province, RVN
Occupation: Farmer
Sex: Male
Marital Status: Married

KHOA stated substantially as follows: Early one morning in Mar 1968 he left his home in Tu Cung (My Lai #4) with his son Nguyen TRUONG, Age 11, to take some cows to another village. While walking West on the main highway near the village of Tu Cung he saw about ten helicopters fly over the village and land outside the village on the Western side. He thought nothing of this because Americans had been in the village on two previous occasions during which there was no trouble or shooting. In his home when he left the village were his wife Pham Thi TRO, age 29, his son Nguyen KHUONG, Age 7, and his son Nguyen DA, age 6, now deceased. He returned to the village about noon time with his son and on the main trail leading from the highway to the village he met his wife and son Nguyen KHUONG. His wife told him that the American soldiers had taken her and the sons from the house and walked them up the main trail that leads from the village to the highway with about 30 other villagers who had been gathered up by the soldiers. At a point in the trail about 35 meters from the village they were joined with a group of about 60 other villagers and guarded by soldiers. After some time the soldiers began shooting and killing the people in the group. His son Nguyen DA was shot in the head by the soldiers and he does not know how his wife and other son escaped being killed in the shooting. He removed his dead sons body from the area and went to his home in the village and found that it had been burned and destroyed. He buried his son about 100 meters South of the village in an area he can identify if he returns to the village. He and his family went to Son Hoa village that afternoon and he returned to Tu Cung the next day to bury the following relatives that were also shot on the trail. Nguyen Von age 54, uncle; Nguyen NHIEU, age 42, brother; Nguyen TOAN, age 28, brother; Nguyen Thi NGO, age 35 sister; and ~~Nguyen~~ Nguyen THANH, age 14, brother. They were all buried in the same general area as his son and he was assisted in the burial by Nguyen MANH and Nguyen DONG, who now reside in Son My Village. He could not estimate the number of dead bodies on the trail nor the number of dead bodies he saw in a ditch located on the East side of the village. He also saw numerous dead animals in the village area. KHOA heard from someone that Do Thi NGUYET, Age 14, was raped by some soldiers and later found dead. He did not know how she died, but was told she did not

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <u>8</u>	PAGE 1 OF <u>2</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.

STATEMENT (Continued) have any bullet wounds on her body when she was found. He also heard that Pham Thi NHO was raped and later shot by soldiers. He thinks she was about 19 years old. Do Thi NGUYEN's mother Ly Thi DAY now lives in Son My Village. The parents of Pham Thi NHO were killed by the soldiers that day in Mar 1968 and he does not know their names. KHOA indicated on a sketch of Tu Cung the areas where he saw dead bodies, his home, and other landmarks. He did not know the American soldiers were coming that day, but he did hear artillery fire just prior to the helicopters arriving. He had no knowledge of Viet Cong being in the village that morning. KHOA identified the male in photograph frame #21A as Nguyen HU who was shot in the hand by soldiers that day and is now living at an unknown address in Saigon, RVN. Also identified was the second male person from the left in photograph frame #26A as Quan VU who now lives in Ben Dong Hamlet located next to Son Ben Village. A photograph of KHOA was obtained.

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:

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

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

Kenneth P. McLellan
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law
to administer oaths, this 25 day of Dec, 19 69
at Quang Ngai, RVN

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

ARVIL J. KIRK JR

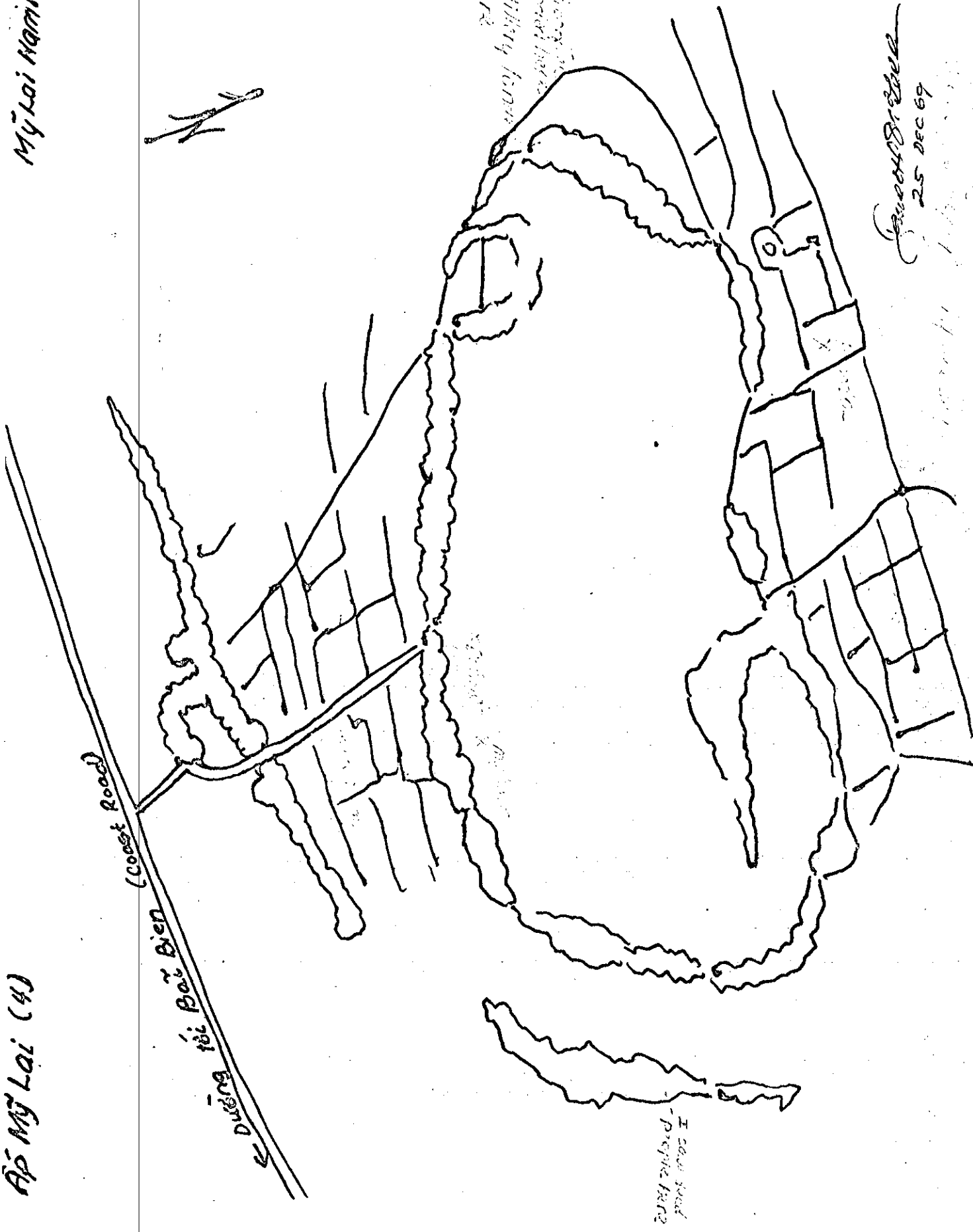
(Typed Name of Person Administering Oath)

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

(Authority To Administer Oaths)

Ấp Mỹ Lai (4)

Mỹ Lai Hamlet (4)



25 DEC 69

Ấp Mỹ Lai (4)

Mỹ Lai Namlet 6

(Coast Road)

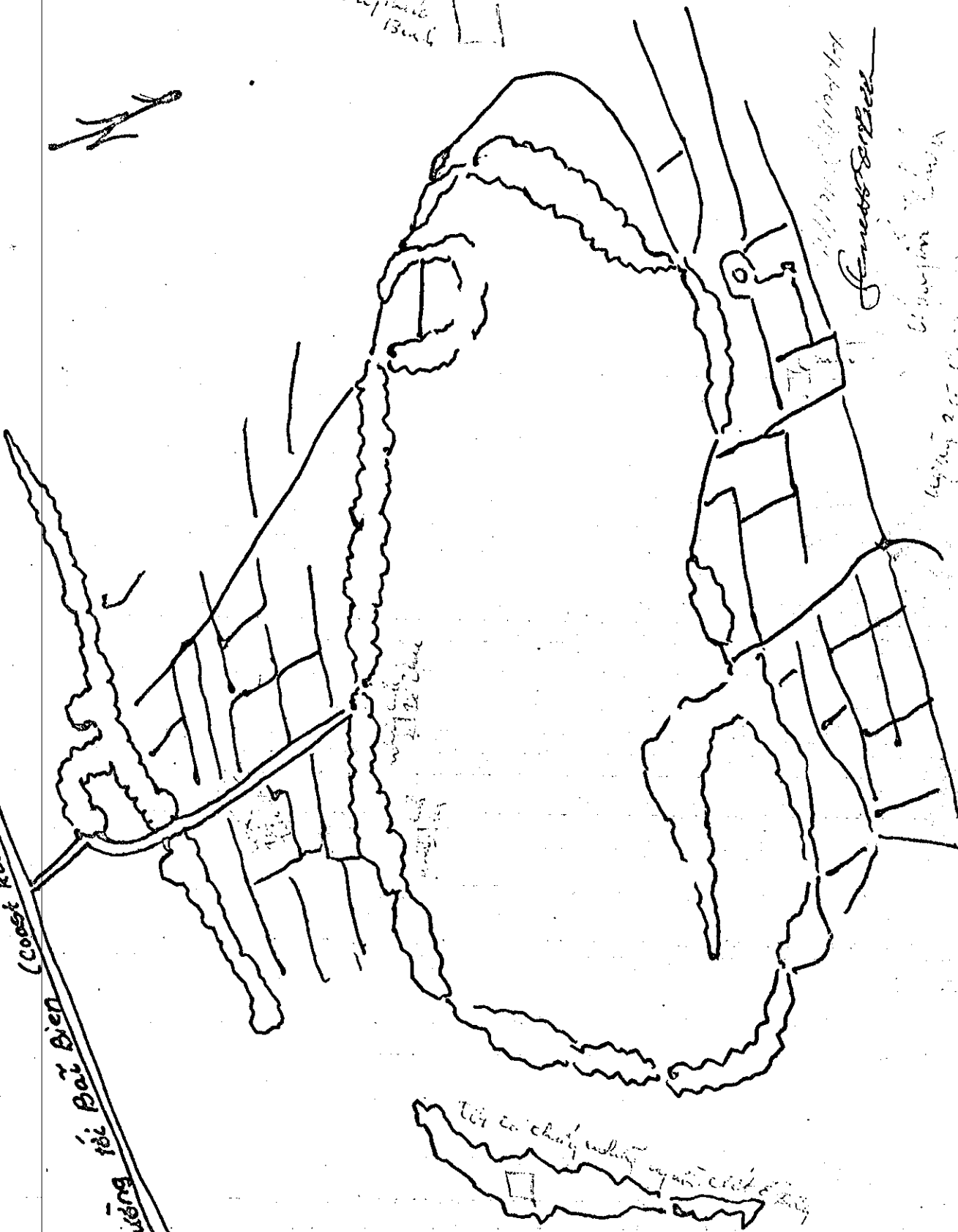
← Đường từ Bãi Diên

phần có tên là đất
Vườn Bùn



James Barber

Ngày 20 tháng 12 1971



Tên của chủ ruộng này là...