

PHONG HOA

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, RVN	DATE 3 Jan 70	TIME 1300	FILE NUMBER 69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME KIRK, Arvil Jackson Jr.	SOCIAL SECURITY ACCOUNT NO.		GRADE CW2
ORGANIZATION OR ADDRESS Det B, 8th LP Gp (CI), APO SF 96312			

SWORN STATEMENT

I, ARVIL JACKSON KIRK JR., WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

INVESTIGATOR'S STATEMENT

On 2 January 1970, between 0820 - 0835 hours, HOA was interviewed by me in the presence of 1LT John C. WOOD, Hq MACV, APO SF 96222. HOA's personal data is as follows:

NAME: Phong HOA (AKA HAI)
 ID: None
 ADDRESS: Son My Village, Son Tinh District, Quang Ngai Province, RVN
 POB: Tu Cung, Son My Village, Son Tinh District, Quang Ngai Province, RVN
 DOB: 1950
 OCCUPATION: None
 EDUCATION: None
 SEX: Male

HOA stated substantially as follows: He was cutting wood near Tu Cung on 29 December 1969, when U.S. soldiers captured him and brought him to a camp. He stated that he had been in Tu Cung in 1968, when U.S. soldiers came and he ran away. He saw two American soldiers shoot Quang KHAI, 50 and Quang IAN 45, in Binh Dong. He states that they had their hands behind them but he did not know if they were tied or not, but both are dead. He could not describe the soldiers or furnish any further information on events in Tu Cung that day. **ASK**

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT ASK	PAGE 1 OF 2 PAGES
---------	---	-------------------

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 2623
1 JAN 66

AFFIDAVIT

I, ARVIL J. KIRK JR. HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT 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.

Arvil J. Kirk Jr.
(Signature of Person Making Statement)

WITNESSES:

LTJ JOHN C. WOOD,
HQ MACV, APO SF 96222

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3d day of January, 19 70 at Quang Ngai, RVN

Kenneth P. McEneaney
(Signature of Person Administering Oath)

KENNETH P. McEENEANY
(Typed Name of Person Administering Oath)

Art 136 b (4), UCMJ, 1969

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

AJK

PAGE 2 OF 2 PAGES