

PAKONG HOA 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 CIV2

ORGANIZATION OR ADDRESS

Det B, 8th MP Cp (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. A JK

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT A JK	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.

### AFFIDAVIT

1. ARVIL J. KIRK, JR.

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.



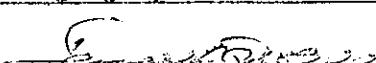
(Signature of Person Making Statement)

#### WITNESSES:

2. LIEUT JAMES C. WOOD,

HQ IACV, APO SF 96222

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3d day of January, 1970  
at Quang Ngai, RVN



(Signature of Person Administering Oath)

#### ORGANIZATION OR ADDRESS

#### ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT



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KENNETH P. McLELLAN

(Typed Name of Person Administering Oath)

Art 136 b (4), UCMJ, 1969

(Authority To Administer Oaths)