

CHOT

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 Nam, RVN	DATE 4 Jan 70	TIME 1830	FILE NUMBER 60-210011-00014
LAST NAME, FIRST NAME, MIDDLE NAME HAY, Arail Jackson Jr.	SOCIAL SECURITY ACCOUNT NO.		GRADE O12
ORGANIZATION OR ADDRESS Det B, 8th Inf Co (CI), APO SF 96312			

SWORN STATEMENT

I, _____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

INVESTIGATOR'S STATEMENT

On 4 January 1970, between 1055-1225 hours and 1320-1430 hours, CHOT was interviewed by me in the presence of SA Nicholas A. VOITZ/MEDES, Interpreter. CHOT's personal data is as follows:

NAME: Than CHOT
 ID: Serial Number 253, Americal Division
 UNIT: Kit Carson Scouts, A Co, 5th Bn, 46th Inf, Americal Division
 FOB: Son My Village, Son Tinh District, Quang Ngai Province, RVN
 DOB: 1931
 OCCUPATION: Scout for the U.S. Army
 EDUCATION: Can read and write
 SEX: Male

CHOT stated substantially as follows: He has been a scout for the U.S. Army for about two months. In Mar 68, he lived in Tu Cung with his wife Nguyen Thi CHUO, 35 and four children, Phan Thi HAI, 16; Phan Thi KUONG, 17; Phan Thi HOA, 11 and Phan TOAN, 4. He does not remember the date in Mar 68, when the soldiers came but remembers that on that day he was working in the rice paddies early in the morning. He could furnish no time. He saw helicopters land and let out U.S. troops on the outside of the village on the northern side. He only saw three helicopters but stated that he heard more flying. He then saw the troops move into Tu Cung and he ran to an area near Hill 85, where he hid. He could not see what was happening but heard what he thinks were M-16 rifles firing. He states that artillery had hit in back of the village earlier but he does not know for how long. He does not know when the troops left but later heard that it was about 1200 hours. He went back into the village sometime between 1900-1900 hours and stated that it was dark. He went to his home, located west of the main trail into the village, about thirty meters from the trail. He found that his house had been burned and his daughter HAI was shot in the back and burned in the house. He could not find the rest of his family. He then buried HAI across from the coast road near the base of the mountain (Hill 85). He stated that he saw about forty people dead on the banks of the main trail into the village. He can not furnish any names and stated that it was too dark to recognize anyone. He and three other persons helped each other bury the people north of the coast road on the western side of the main trail. He saw dead people in some of the houses inside the village but does not know how many and does not know their names. He also saw about fifty people dead in an irrigation ditch in the eastern portion of the village. He could not furnish the names of any of the people. He could furnish only two names of people he saw alive and who helped bury people. They are Nguyen QUYEN, 39 and Nguyen PHU, 40. He stated that he thinks these two men live in or near Son My and that they work for the Viet Cong. He does not know if there were Viet Cong in the village or not. He heard that three Viet Cong were firing at U.S. soldiers that day with two M-1 rifles and one carbine from one of the tree lines. He does not know

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT JJK	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 2029
1 JAN 68

STATEMENT (Continued)

their names or if they were able to escape from the village. He does not know if artillery or helicopters killed anyone or if anyone was raped. He stated that he only saw about ninety people dead but heard that about two hundred were killed. He believed that there were close to two hundred killed, but no more than two hundred. He stated that he then went into hiding on the outskirts of Co Luy. He did not go into the village and does not know what happened there if anything. He did not hear about anything happening in Co Luy. He stated that he was told about one month later that his family was in Son My. He went there and found them. He became a Chieu Hoi about five months ago. He remembers that a Mr ANH, 60 and a daughter about 18, name unknown, lived in a house just south of his home. Their house was burned and he never saw them again. There was a house north of his, where Anh AN, 30, AN's wife, name unknown, about 25 and daughter, name unknown, about 3, lived. Their house was burned and he never saw them again. He does not know if the ANH's or AN's are alive or dead. He could not remember the names of anyone else who lived around him and stated that he knew no one who lived up the trail inside the village, since he had lived in Tu Cung only two months at that time. He stated that he had moved there from Ky Tai 5, (shown on map sheet 6739 II, series L 7014, Quang Ngai). He then remembered one other home, where Nguyen KHOA lived. He stated that the home was burned and he does not know what happened to KHOA or anyone else was in the house. The house was burned and destroyed. He pointed to house number 46 on the sketch of Do VIEM and stated that this was the house of KHOA. This is in agreement with Do VIEM who listed house 46 as KHOA's. CHOC identified the following in B & W photograph frame 20 A: TAI, 70, old woman in right background; DUNG, 60, woman to right of TAI; DUNG's nephew, name unknown, boy to right of DUNG; Vo Bay CUONG, 30, woman in center of the photograph and the two children directly in front of CUONG are her children, names and ages unknown. All of these people are alive in Son My. The old man in B & W frame 21 A is Chu HOA, age unknown, who is at an unknown address in Saigon. The people in B & W frame 25 A are THONG, 40, men in right background; THONG's wife, name unknown, is the woman in left background with hat; Mrs CHI, 70, person in center foreground; the woman between THONG and his wife is the niece of Mrs CHI, about 15, name unknown. He does not know if they are dead or alive. The boy in B & W frame 26 A, in the right background sitting is the son of Mr KHAI, name unknown; the Vietnamese male standing is Mr LUAN, 70. They did not live in Tu Cung. He thinks they are alive in Son My but is not sure. He could furnish no further information. A Photograph was obtained.

AFFIDAVIT

I, ARVID 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:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4th day of January, 1970, at Quang Ngai, RVN

(Signature of Person Administering Oath)

KENNETH P. McLELLAN

(Typed Name of Person Administering Oath)

Art 136 b(4), UCMJ, 1969

(Authority To Administer Oaths)

SA MICHAEL A. VOGLAZZES,
HQB, 5th SFG, APO SF 96240

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

A J K

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