

THI

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 9 Jan 70	TIME 1830	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME KIRK, Arvil Jackson Jr.	SOCIAL SECURITY ACCOUNT NO.		GRADE CW2
ORGANIZATION OR ADDRESS USACIDA, TASK FORCE # 2 (RVN Team), HQ MACV, APO SF 96222			

SWORN STATEMENT

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

INVESTIGATOR'S STATEMENT

On 9 Jan 70, THI was interviewed by me between 1110 - 1200 hours and 1330 - 1345 hours, in the presence of SA Arthur D. HARRIS, 25th MID, APO SF 96225, acting as interpreter. Personal data of THI is as follows:

NAME: Pham Thi THI
ID: None
ADDRESS: Truong An, Son My Village, Son Tinh District, Quang Ngai Province, RVN
POB: Thuan Yen, Tu Cung, Son My Village, Son Tinh District, Quang Ngai Province, RVN
DOB: 1959
EDUCATION: Can read and write
OCCUPATION: Farm Girl
SEX: Female

THI stated substantially as follows: She does not know the date but on the morning in 1968, when the U.S. soldiers came, she had been near the irrigation ditch in or near her village. She was nine years old at the time. She stated that artillery hit the village and she jumped into the ditch up to her neck in water. She did not know where the artillery hit. She then saw helicopters but could not see if they landed or how many were there. She stated that she also saw the helicopters shooting but did not see them hit anyone. She could hear no shooting from the village at this time. She thinks it was about 0800 and it became still. She then got out of the ditch and ran to Son Hoa. She went back to the village about 1300 hours, by coming down the coast road and up the main trail. She stated that she saw a lot of dead bodies to include one group and others along the trail. She doesn't know how many she saw or the names of anyone other than her relatives, which she saw dead. They are her grandfather, Nguyen HAI, 60; Nguyen Thi NHUNG, grandmother; Nguyen HUY, 35, uncle; Le Thi HANH, 30, aunt; Nguyen CUONG, 5 and Nguyen DIEM, 3 cousins; and Ba XUONG, 65, aunt. She helped bury her relatives near the rice paddies at the main trail. Her father had died before this date and her mother Nguyen Thi NHUNG, 40 and Pham TAM, 12, her brother had been out of the village getting water and were not injured. She stated that she saw many people dead in the village but does not know how many or the names of anyone. She stated that she heard that 370 people were killed on that day. She does not remember any neighbors that lived near or around her house at that time. She remembers the U.S. soldiers coming to the village two times before but does not know the dates. She stated that they were friendly to the people in the village. She stated that she knows nothing about Viet Cong being in the village. She stated that she saw the family animals, two pigs and ten ducks dead by gunshot near her house. She identified the man in B & W photograph number 17 as Mot LAI. She was shown the sketch by Do VIEN and stated that her house was somewhere number 27 and 28. She could not name the families in any of the other houses. THI could not furnish any further information and a photograph was obtained.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT A.J.K.	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

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:

Arthur D. Harris
SA ARTHUR D. HARRIS

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9th day of January, 19 70 at Quang Ngai, RVN

Kenneth P. McElitian
(Signature of Person Administering Oath)

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

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

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

ATK