

# 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 11 Jan 70	TIME 2000 hrs	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME MCIELLAN, Kenneth Paul	SOCIAL SECURITY ACCOUNT NO.		GRADE CW2
ORGANIZATION OR ADDRESS USACIDA, Task Force #2, (RVN Team), Hq MACV, APO SF 96222			

## SWORN STATEMENT

I, Kenneth Paul McIellan, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH.

## INVESTIGATOR'S STATEMENT

On 11 Jan 70 an interview with Pham KY, conducted through Nicholas A. VONPZALIDES, Interpreter, began at 1450 hours and terminated at 1600 hours. KY's personal data is:

Name: Pham KY  
ID#: None  
Address: Son My Village, Son Tinh District, Quang Ngai Province, RVN  
DOB: 1934  
POB: Tu Cung, Son My Village, Son Tinh District, Quang Ngai Province, RVN  
Occupation: Farmer  
Sex: Male  
Marital Status: Married

KY stated substantially as follows: Early one morning, about the 18th day of the second month of the Lunar calendar (Mar), 1968 he was in his home in Tu Cung with his mother Vo Thi NO, age 72; his wife Nguyen Thi MEO, age 32; and his children Pham Thi TIN, age 12; Pham Thi TUONG, age 8; and Pham Thi XIU, age 4; and his son Pham CU, age 2. The family was about to eat breakfast and he heard airplanes fly over the area. He went outside the home and saw some helicopters in the air and then he heard gunfire. He and his family ran into a bunker located near their home. A while later three American soldiers found them in the bunker. One was negro and the other two were caucasian. The negro soldier ordered them out of the bunker and the three soldiers took the family to the tree line on the southeastern edge of the village. The soldiers then told the family to "Di Di" and then entire family fled accross the rice fields to the coast road. They went to Son Hoi by way of the coast road. While going up the coast road he saw about ten dead bodies (NFI) of Vietnamese men, women, and children just a few meters west of the main trail. The bodies were not in a group but located within a few meters of each other. They appeared to have been killed by small arms fire. He did not stop to look over the bodies. He never returned to Tu Cung. About five days after the incident his wife went back and found their home had been destroyed. She also found the water buffalo and pig they owned had been shot and killed near their home. American soldiers had been in the village on two previous occasions and there was no trouble. They gavo cigarettes to the old people and candy to the children. He had no knowledge of any females being raped or of any Viet Cong ever being in the village. The American soldiers did not harm any members of his family. He identified the buildings and individuals in photographs of the scene as follows: The building in photograph frame 10A as the home of NHUAN (NFI) and has no knowledge as to where he is now. The building in photograph frame 30A as the home of Huong THO, age 80, and thinks he is deceased. The elderly man in photo-graph frame 34A as BUC CHAU, age 81, and the two children with him as his nephews (NFI). He heard CHAU is living at an unknown address in Saigon, RVN, but does not know where

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	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.

STATEMENT (Continued) the children are now. In color photograph #15 the woman who appears to be buttoning her blouse and is holding the child is Do Thi CANG, age 33, and the child is her nephew (NFI). The woman whose head is just showing behind the woman in the foreground is Ba PHU, age 60. He does not know where these people are now. He appeared oriented to a sketch of Tu Cung and indicated several areas on the sketch which were discussed in the ~~interview~~ interview. A photograph of KY was obtained.

# AFFIDAVIT

I, Kenneth Paul McLellan 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.

## WITNESSES:

SA NICHOLAS A. VONTALIDES,  
HHC, 5th SFGA, APO SF 96240  
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11 day of Jan, 19 70 at Quang Ngai, RVN

(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)

TP MY LAI (4)

Mỹ Lai Namlet

← Đường tới Bãi Bền (Coast Road)

1. Home of Ky

2. 10 people dead

--- path to Coast Road

3. Home in photo # 38

--- main trail

4. Home in photo # 10A



James B. Bree  
Drawn from information obtained  
from interview of Ky on 11 Jan 70.

Nicholas A. Vargabiles