

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of The Provost Marshal General.

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| PLACE Quang Ngai, RVN | DATE 14 Jan 70 | TIME 1500 | 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

During the course of this investigation, it was determined that Truong TRU, 42, Phan HOANG, 43 and Do DONG, 43, were detained as civilian suspects working for the Viet Cong. They were taken from the Tu Cung area to the Quang Ngai Correction Center in Quang Ngai City. On 14 Jan 70, the Assistant Director of the Correction Center, Dao Van THANG was contacted by LIA John C. WOOD, Hq MACV, APO SF 96222, interpreter and myself to determine their whereabouts and to interview them. THANG advised that the three men had been detained in June 1968 and held at the Correction Center until 21 Jun 68. They were then released to their own custody and as far as THANG knows returned to Son My. The date of their detention was not determined, other than it was in Jun 68.

On 14 Jan 70, SGT Nguyen Van NGOC, medic at the Quang Ngai Military Hospital, Quang Ngai City, was contacted by WOOD and I in reference to anyone that may have been treated at the hospital from Son My or surrounding area in Mar 68. NGOC stated that the hospital did not treat any civilians at any time for they would be taken to the civilian hospital, which is across the street from the military hospital. He further stated that he had been there for four years and did not remember any incident involving treatment of civilians. He further informed us that there were no records for Mar 68, indicating treatment of any civilian. Captain Nguyen Van CHUNG, surgeon, assigned to the Quang Ngai Military Hospital was interviewed. He stated that he has been a surgeon at the hospital for about three years. He stated that he heard of an incident in the Son My area, where many civilians were injured, but knows no details of what is supposed to have happened. He stated that he has never treated civilians at the hospital and it is policy that if civilians are brought to the hospital by dust off helicopter or any other means they are taken by ambulance to the civilian hospital just across the street.

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| EXHIBIT | INITIALS OF PERSON MAKING STATEMENT AK | 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 2823 JAN 68

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:

John C. Wood
JOHN C. WOOD

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14th day of January, 19 70 at Quang Ngai, RVN

Kenneth P. McMillan
(Signature of Person Administering Oath)

~~KIRK~~ KENNETH P. McMILLAN

(Typed Name of Person Administering Oath)

Art 136 b (4), UCMJ, 1969

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

A J K

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