

# 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 City, RVN	DATE 11 Mar 70	TIME 1230	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, Washington, DC			

## SWORN STATEMENT

I, ARVIL J. KIRK JR., WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
Between 1245 - 1400 hours, 9 Mar 70 at Son My Village, Pham Thi LIEN was interviewed by me in the presence of SP5 Jeffery M. JOHNSON, acting as interpreter. Personal Data of LIEN is as follows:

NAME: Pham Thi LIEN  
ID#: 065280  
ADDRESS: Son My Village, Tu Cung Hamlet, Son Tinh District, Quang Ngai Province, RVN  
DOB: 2 Aug 15  
POB: Binh Dong sub hamlet, Tu Cung Hamlet, Son Tinh District, Quang Ngai Province, RVN  
OCCUPATION: Farmer  
EDUCATION: None

LIEN stated substantially as follows: On an unknown date in Mar 68, she was in her home in Binh Dong sub hamlet, Tu Cung Hamlet, when many soldiers came to the area. When they came the sun was about half way to mid day and when they left the sun was straight up in the sky. Her family with the exception of herself and a son, Pham LAP, age 30 hid in a bunker and they were not harmed. Her son LAP was taken away by the soldiers. She hid in the bamboo and watched the soldiers take LAP to a gathering of about forty other persons from the sub hamlet, about fifty meters away. The soldiers then fired rifles into the group and everyone fell. When the soldiers went away she went to the group and found that LAP was dead as was the rest of the group. She could furnish only two names of the persons she saw dead in this group. They are HUA, 40 and DO, 30. She stated that there were no women in the group and a small number of children. The rest were all men of various ages. Her house was burned and her four water buffalo were killed. She stated there were no Viet Cong in the village that morning or day. LIEN viewed black and white photograph frame 26 A, roll 2 and identified the following: The second man from the left of the photograph in black and squatting is DU. The man on the left in white is TRO. The man in the right extreme of the photograph is TO. The person in white next to TO is TANG the son of DU. The ones known are from Binh Dong and she does not know the other persons. LIEN viewed black and white photograph frame 25 A, roll 2 and identified the man in the left background as TINH and the man in the left foreground as LONG. She stated they are from Binh Dong but she does not know their full names or where they are now located. LIEN could furnish no further information and affirmed that what she has stated is the truth.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT AJK	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  
1 JAN 68

STATEMENT (Continued)

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:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11th day of March, 1970 at Quang Ngai City, RVN

Jeffery H. Johnson  
JEFFERY H. JOHNSON  
CO A, 519th Spt Bn, APO SF 96307

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

THOMAS J. McGREEVY

(Typed Name of Person Administering Oath)

Criminal Investigator, ART 136b(4), UCMJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

ASK