

P40

WITNESS STATEMENT
(AR 195-10 - TB PNG 3)

PLACE Da Nang, Republic of Vietnam	DATE 27 Jan 70	TIME 1000	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME WILLIS, COY LEE	SOCIAL SECURITY ACCOUNT NO.		GRADE CW2
ORGANIZATION OR ADDRESS 1st D, 8th AF Group (CI), APO SF 96243			

SWORN STATEMENT

I, COY LEE WILLIS, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

INVESTIGATOR'S STATEMENT

At the above time, date and place, I interviewed LTC Pham Van PHO, 300229, Army of the Republic of Vietnam (ARVN) DOB: 2 Apr 33, POB: Thai Binh, North Vietnam, address: Tan Dinh, Saigon, RVN, in the presence of Colonel Thomas F. MALLAN, LTC Donald D. YOXTER, G-2 Advisor, I Corps, APO SF 96337, and with the assistance of LTC Billy H. STANBERRY, MACV Team 55, APO SF 96215. LTC PHO related as follows: He was the G-2 for the 2nd ARVN Division during the period May 65 through 17 Dec 69. He does recall submitting to the CG, 2nd ARVN Div, a memorandum dated 12 Apr 68 with an annexed piece of VC propaganda and a report dated 11 Apr 68 from the Son Tinh District Chief to the Quang Ngai Province Chief. He stated that the CG responded by writing on the margin of the memorandum words to the effect of "Find out about this, if it is true, have it stopped, if it is not true, ignore it". He said that Major EARLE was at one time his G-2 advisor and that it could have been during this period. He did discuss the content of the memo, the letter and the VC propaganda with his advisor. LTC PHO added that this was the only piece of propaganda of that type which came to his attention, however at the time he thought it was false and did not believe it. He was called into a meeting held by the CG, 2nd ARVN Div, wherein MG KOSTER, the Senior Advisor and the Aide of MG KOSTER were present. There were a number of other American Officers present also, however he could not recall any specific person nor could he say yes or no to several names which I mentioned. He was told to fetch his memo and the report and propaganda which it concerned. This he did, and those persons assembled discussed the matter about five minutes, then went on to other things. The entire discussion was held in English and he did not understand what was said, other than to understand that they were discussing his memo. He had no knowledge of a statement signed by CPT Angel RODRIGUEZ relating to the District Chief's letter of 11 Apr 68. He had no knowledge of any discussions held by anyone concerning alleged incidents at Cu Cong or Co Lay on or about 16 to 18 Mar 68. LTC PHO stated that he corresponds once in a while with Major EARLE and furnished the following address: Major Thomas B. EARLE, Jr, Savannah, Ga. NOTE: The above interview was recorded and the recording is in the possession of Col MALLAN. Nothing follows.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT WILLIS	PAGE 1 OF 1 PAGES
---------	---	-------------------

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.

THIS PORTION NOT USED *cpw*

AFFIDAVIT

I, COY LEE WELLS *cpw* HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 1. 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:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

Coy Lee Wells
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27th day of January, 1970 at Saigon, Republic of Vietnam

Stanley D. Hunter
(Signature of Person Administering Oath)

STANLEY D. HUNTER, Crim Inves

(Typed Name of Person Administering Oath)
Art 136 (b)(4) UCMJ, 1969

(Authority To Administer Oaths)

PAGE OF PAGES