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70-CID 011-00007

PLACE Houston, Texas	DATE 20 Feb 70 1140 hrs	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME ACULBARD, Anthony Eric	SOCIAL SECURITY ACCOUNT NO.	GRADE Civ
ORGANIZATION OR ADDRESS Houston, Texas		

SWORN STATEMENT

Anthony E. ACULBARD

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

Q-Mr ACULBARD you made a statement on 6 Jan 70. Are you now willing to answer further questions and to make an additional statement?

A-Yes.

Q-In your original statement you told about TORRES hanging a Vietnamese man, can recall the date of this incident?

A-I don't remember the exact date, however, it was the day after Company C first attempted to get into Ky Lai.

Q-Where did this incident occur?

A-It was in a small village northwest of LZ Uptight. It was either in the village of Lian Quang (3) or Chau Binh (1). This is about four five miles from LZ Uptight.

Q-Were you inside or outside the hut when TORRES put the Vietnamese civilian on the table?

A-I was first standing outside of the hut and I heard TORRES say Lets hang him. I then walked inside and saw TORRES and I believe two other men lift this old man up on a table. TORRES then threw his rope over a rafter, made a slip knot in the rope, and put it around the old man's neck. Then TORRES kicked the table out from under the man.

Q-How far from TORRES were you while in the hut?

A>Somewhere around twenty feet.

Q-What, if anything, did TORRES say while this was going on?

A-He was just laughing.

Q-Describe the actions of the Vietnamese civilian when TORRES kicked the table away?

A-He was just saying "No No". I don't think that he was screaming, but he was talking loud. While the man was hanging I don't know what the man did, because as soon as the table was kicked out from under him by TORRES, I turned around and walked out.

Q-What, if anything did you see or hear which would lead you to believe that the Vietnamese civilian died as a result of TORRES' actions?

A-I am not real sure, but I believe that he told MAKEY when he came out out of the HUT that he had killed the old man by hanging him.

Q-How long after TORRES kicked the table away were you present at the hut?

A-I got out right after he kicked it.

Q-Did you see or speak to TORRES after you left the hut?

A-Yes, I saw him. I did not speak to him but he spoke to MAKEY.

Q-What, if anything, did TORRES say to you?

A-Nothing. He never did talk to me about it.

Q-Can you recall who the other men were that were in the hut when TORRES hung the Vietnamese civilian?

A-MAKEY was with me in the hut. I know that there were at least two

EXHIBIT 0	INITIALS OF PERSON MAKING STATEMENT A. E. S.	PAGE 1 OF 3 PAGES
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OPTIONAL PAGES MUST CONTAIN THE WORDS "CONTINUED" AT THE BOTTOM OF EACH ADDITIONAL PAGE. THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE 1 OF 3 PAGES." WHEN ADDITIONAL PAGES ARE USED, 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.

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"Statement of Anthony M. BROCKBARD taken at Houston, Texas, dated 20 Feb 70, Continued"

more men in the hut, but can not remember who they were. Maybe I know who they are.

Q-Is there anything else that you can recall about this incident?

A-Just that everybody knew about it. Like I am sure that the Platoon Leader, LT BROCKBARD, knew about it. Also I am sure that the man was killed as a result of the hanging.

Q-What do you know about a man named ROSENBERG?

A-He shot a woman in the back with his M-79 Grenade launcher. I did not see this but HARRY and FRANK told me about it. This happened during the assault on 16 Mar 68.

Q-Did you hear about him killing anyone else?

A-No.

Q-Is there anyone else that knows about ROSENBERG actions?

A-Yes. The entire platoon knew about what he did because I have heard him talking about it.

Q-What do you know about SCHMIDT and HILSON?

A-SCHMIDT I did not hear much about and what I did hear I can not remember. Now HILSON was real cold. He was a machine gunner and I heard that he set his gun up could shoot people as they were put into groups.

Q-Is there anything else that you recall from the operation that took place on 16 Mar 68?

A-No.

Q-Is there anything that you would like to add to or delete from this statement?

A-Yes, just one thing. When TORRES came out of the hut and talked to HARRY he said "Boy LARRY, I hung the Son-of-a-bitch".

Q-Is there anything else?

A-No. Not right now.

////////////////////End of Statement////////////////////////////////////

EXHIBIT O

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STATEMENT (Continued)

Not Used

AFFIDAVIT

I, ANTHONY E. DEANASARD

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. 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:

Anthony E. Deanasard
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20 day of February, 19 70 at Houston, Texas

ORGANIZATION OR ADDRESS

Richard E. Sherwood
(Signature of Person Administering Oath)

Richard E. SHERWOOD, Grim Inves

(Typed Name of Person Administering Oath)

Art 135b (4) UCMJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

EXHIBIT 10

INITIALS OF PERSON MAKING STATEMENT

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