

TUNG

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 16 Mar 70	TIME 1615	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 1030 - 1100 hours, 14 Mar 70 at Co Phu Hamlet, Tu Hien Village, Tu Nghia District, Quang Ngai Province, RVN, Trinh TUNG was interviewed by me in the presence of SP5 Jeffery M. JOHNSON, acting as interpreter. Personal Data of TUNG is as follows:

NAME: Trinh TUNG  
 ID#: 062967  
 ADDRESS: Co Phu Hamlet, Tu Hien Village, Tu Nghia District, Quang Ngai Province, RVN  
 DOB: 16 Feb 27  
 OCCUPATION: Fisherman  
 EDUCATION: None can not read or write  
 POB: My Hoi sub hamlet, Co Luy Hamlet, Son My Village, Son Tinh District, Quang Ngai Province, RVN

TUNG stated substantially as follows: He was in his sub hamlet My Hoi in Mar 68, when he saw many American soldiers coming across the bridge from the mainland. He does not know how many soldiers he saw but stated they came on foot. He thinks this was around 1000 hours. The soldiers began to fire their rifles and he went into a bunker. He could not furnish the position of the soldiers in relation to the sub hamlet when the firing started. As soon as he heard shooting he hid in the bunker. He was alone in this bunker and his children were in another bunker nearby. His wife was away from the sub hamlet fishing. From his bunker he watched American soldiers throw hand grenades into bunkers to include the one which his children were in. He does not know when the soldiers left but he got out of his bunker about 1700 hours that day. He saw his home was burned down and his family animals, two pigs, were killed. He then went to the bunker of his children and saw about eighteen bodies including those of his children, Trinh CHINH, age 12; Trinh MINH, age 8; Trinh Thi BONG, age 6 and Trinh NHO, age 3. He does not know the names, sex or ages of the other bodies in the bunker. He stated that there were both young and old people in the bunker. He saw no other bodies for he then ran away and hid until the next day. He stated that about eighty homes were burned and destroyed. He knew of no Viet Cong in the village. He stated that the people of the sub hamlet did not fire at the soldiers as far as he knows for he heard no firing other than by the soldiers. He stated that after hiding all that night he did not go back to My Hoi for he was very afraid. He does not know who buried his children. TUNG could furnish no further information and affirmed that the statements he made were the truth as best he can recall.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT A JK	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.

## 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:

Jeffrey M. Johnson  
JEFFREY M. JOHNSON  
CO A, 5th Spt Bn, APO VT 96307  
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16th day of March, 19 70  
at Quang Ngai City, RVN

Thomas J. McGreevy  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

THOMAS J. MCGREEVY  
(Typed Name of Person Administering Oath)

Crim Inves, Art 136b(4), UCMJ  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

AJK