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

PLACE Sherman Oaks, California	DATE 28 Feb 70	TIME 1300	FILE NUMBER 70-CID046-26104
LAST NAME, FIRST NAME, MIDDLE NAME HENRY, James Daniel	SOCIAL SECURITY ACCOUNT NO. [REDACTED]		GRADE Civilian
ORGANIZATION OR ADDRESS 3576 Sepulveda Boulevard, Sherman Oaks, California			

SWORN STATEMENT

James D. HENRY

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

First of all I would like to make it clear that the purpose of this interview and the purpose for divulging the names of the persons who were involved in the incidents which will be described in this tape is not to "get" any of the individuals who were involved in any of these incidents; that the purpose is not to embarrass any of the families or any of the persons who were involved in these incidents, but solely to make sure that these kinds of incidents do not occur again; second, that there is no defamatory intent on my part, nor is there any intent to injure any individual or their reputation or their standing in the community; third, that the conditions attached to this interview under which names will be given are as follows: First, that I understand that the individuals to whom I am speaking are licensed investigators of the Criminal Investigation Division of the US Army and that the information which will be given here is for official use only and will not be released except at a trial; that in fact permission is expressly denied to use this material in any other way except in a criminal investigation for the purpose of bringing other persons to trial or at a trial itself; and finally that all of the information that follows and all of the names which will be given of individuals who were involved in any particular acts are given on information and belief.

My name is James D. HENRY. I was inducted into the US Army on March 12, 1967. I went to Ft Polk for basic training, and I was later transferred to Ft Sam Houston, Texas, for the rest of basic training and AIT. From there I got 12 days leave and following that, I was sent to Vietnam. I arrived in Vietnam the last of September or August 1967. I was assigned to HHC, 1/35th Inf, 3d Bde. I spent a couple of weeks in base camp with Hq Co and then I was assigned to B Company, 1/35th Inf. This was in Duc Pho, Vietnam. From there we went up to Chu Lai. We operated west of Chu Lai, and on the 8th of October 1967, we got into a fire fight. It was my first fire fight and at that time I witnessed a 12 year old boy executed for no reason by a medic. I didn't actually see the boy executed. Somebody caught him up on a hill and they brought him down and the Lieutenant asked who wanted to kill him, who wanted to shoot him. Two guys, an RTO and a medic said that they did. The RTO kicked the boy in the stomach and the medic took him around behind a rock and I heard one magazine go off complete on automatic. This took place during a rainstorm. At that point the Captain called up and asked what happened. The shooting was reported as a KIA. The Captain asked where the body was and they said it was going down the river. Nobody told the Captain it was a 12 year old boy who was unarmed and didn't have anything on but shorts. After that we stayed in the field a couple more weeks and we went into base camp on Hill 488 I think. I'm not sure about that hill number. 1st Platoon went out on a night ambush from there. I was told by men of the 1st Platoon that they raped and executed five women which they caught in their ambush. Men of the other platoons later went down and saw the bodies. From there we went to LZ Baldy which was made our base camp. Of course, the company spent almost all this

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