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(As of 9 Jul 71)

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171, DUFFY ALLEGATION (VVAW-WSI)

- ALLEGATION:
1. Negligent homicide of unidentified VN child.
  2. Maltreatment of PW's.
  3. Assault.
  4. Destruction of private property.

SUBJECT/SUSPECTS: Unidentified crew members of 228th Avn Bn, 1st Air Cav Div, RVN.

COMPLAINANT: Mr. James Duffy, SP5, 228th Avn Bn, 1st Air Cav Div, Feb. 67 - Apr 68.

BACKGROUND: Between 31 Jan and 2 Feb 71, at Detroit, MI, Mr. Duffy testified at the "Winter Soldier Investigation" (WSI) as a member of an organization identified as Vietnam Veterans Against the War (VVAW). Mr. Duffy testified that helicopters played games with civilians by blowing them over using the prop wash (in one case killing a small boy), and blowing away their rice crops and houses. He alleged that PW's were maltreated by kicking them and hitting them with rifles and pistols. Mr. Duffy testified to giving hydraulic fluid to village kids with the logic that "the only good gook is a dead gook." Mr. Duffy also said defoliant agents were dropped along An Lo valley by CH-47's, and that it was common to drop tear gas into villages for "kicks."

STATUS/PROGNOSIS: Investigation completed; insufficient evidence.

Efforts by CID to contact Mr. Duffy were unsuccessful. Duffy's parents were interviewed and promised aid in locating him. Investigation will be reopened upon receipt of substantive information.

INITIATED BY WHOM: AGC; WSI material is contained in Congressional Records of 6 and 7 Apr 71.

RESPONSE TO INITIATOR: AGC notified of review and evaluation.

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