

**STATEMENT**  
(AR 190-45; AR 600-140)

Explain the nature of the investigation. If person making statement is accused or suspected of an offense he or she must be so informed and this fact affirmatively shown.

PLACE Khe Sanh, RVN	DATE 6 April 1966	FILE NUMBER
LAST NAME - FIRST NAME - MIDDLE INITIAL COUCH, Jesse M.	SERVICE NUMBER 1Y3027094	GRADE Captain
ORGANIZATION (If civilian, give address) Hound Dog, Search Combat Support Group		

I HAVE BEEN INFORMED BY Captain John A. Dorsey  
WHO STATED HE IS (a) (an) Officer  
OF THE UNITED STATES (Army) (Navy) (Air Force), AND THAT HE IS CONDUCTING AN INVESTIGATION OF  
the missing personnel: Captain James L. Cohen, Captain John J. Tashette  
[OF WHICH YOU ARE (accused) (suspected).] (Strike out words between brackets if person is neither accused nor suspected of a criminal offense.)

"THE UNIFORM CODE OF MILITARY JUSTICE, ARTICLE 31, (and Title 10, United States Code, Section 1219) (Retain words in parentheses if statement is taken in connection with line-of-duty investigation) [the Fifth Amendment to the Constitution of the United States] (Retain words between brackets if person making statement is a civilian) (has) (have) BEEN READ AND EXPLAINED TO ME BY \_\_\_\_\_

I UNDERSTAND THAT I DO NOT HAVE TO MAKE ANY STATEMENT WHATSOEVER AND ANY STATEMENT I MAKE MAY BE USED AS EVIDENCE AGAINST ME.

Captain Couch (HoundDog 51) and Captain Frederick (HoundDog 51) were flying a visual reconnaissance mission on the above date. Hillsburro, the airborne control informed Hound Dogs 51 and 53 that he had received a transmission to the effect, "May Day, May Day, Hillsburro, Spud 5,6" at 1648 hours. Since there was no other FAC's in area Hound Dogs 51 and 52 headed simultaneously to two separate coordinates known to have anti-aircraft guns in place that day and ask Hillsburro to go to TGT 502 C, another "Hot" spot.

Captain Couch had seen the two Spud aircraft approximately twenty minutes before the emergency transmission. Hillsburro reported hearing a signal from the pilot emergency radio.

Hound Dogs 51 and 53 rushed to area and began search. Hound Dog 51 was first to arrive, heard signals from two radios and located both crash sites and obtained visual contact with both Spud crews, two men in each crew. At approximately 1730. Hound Dog 51 talked to both crews and was told by the crews that they were ok. Hound Dog 51 gave each crew a landmark to be at for pick-up by rescue in case communications were lost. Soon after this Hound Dog 51's radio went out on UHF and could not talk further to the crews. Hound Dog 53 took over and talked to the crews telling them to "Hold on, rescue is on the way".

Spud 6 reported the V.C. were closing in on them and his radio became weaker and broken and quit at approximately 1815. Hound Dog 51 flew continually at tree top level around the crews, located enemy fire and marked for Hound Dog 53 who directed suppressive fire. Hound Dog 53 directed the rescue of Spud 5 at 1850 hours and to the site where Spud 6 was last seen. Ground fire was received from all directions around his position.

At 1920 Hound Dogs 51 and 52 had to leave area due to critical fuel shortage.

EXHIBIT NO.	INITIALS OF PERSON MAKING STATEMENT	FOR OFFICIAL USE	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 init \_\_\_\_\_ of the person making the statement and be initialed as "PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES."

AFFIDAVIT

JESSE M. COUCH HAVE HAD READ TO ME (have read) THIS STATEMENT WHICH BEGINS ON PAGE ONE (1) AND ENDS ON PAGE \_\_\_\_ 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 STATEMENT MATTER. THIS STATEMENT HAS BEEN MADE BY ME FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

s/s JESSE M. COUCH  
s/b JESSE M. COUCH

(Signature of person making statement)

SWORN TO AND SUBSCRIBED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_, 19 \_\_\_\_, AT \_\_\_\_\_

WITNESSED BY:

John A. Dorsey  
JOHN A. DORSEY

Certified True Copy.

(Authority to administer oaths)

RIGHTS UNDER UNIFORM CODE OF MILITARY JUSTICE, ARTICLE 31, TITLE 10, UNITED STATES CODE, SECTION 1219; AND THE FIFTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

UNIFORM CODE OF MILITARY JUSTICE, ARTICLE 31, PROVIDES THAT: NO PERSON SUBJECT TO THIS CODE SHALL COMPEL ANY PERSON TO INCRIMINATE HIMSELF OR TO ANSWER ANY QUESTION THE ANSWER TO WHICH MAY TEND TO INCRIMINATE HIM. NO PERSON SUBJECT TO THIS CODE SHALL INTERROGATE, OR REQUEST ANY STATEMENT FROM AN ACCUSED OR A PERSON SUSPECTED OF AN OFFENSE WITHOUT FIRST INFORMING HIM OF THE NATURE OF THE ACCUSATION AND ADVISING HIM THAT HE DOES NOT HAVE TO MAKE ANY STATEMENT REGARDING THE OFFENSE OF WHICH HE IS ACCUSED OR SUSPECTED AND THAT ANY STATEMENT MADE BY HIM MAY BE USED AS EVIDENCE AGAINST HIM IN A TRIAL BY COURT-MARTIAL. NO PERSON SUBJECT TO THIS CODE SHALL COMPEL ANY PERSON TO MAKE A STATEMENT OR PRODUCE EVIDENCE BEFORE ANY MILITARY TRIBUNAL IF THE STATEMENT OR EVIDENCE IS NOT MATERIAL TO THE ISSUE AND MAY TEND TO DEGRADE HIM. NO STATEMENT OBTAINED FROM ANY PERSON IN VIOLATION OF THIS ARTICLE, OR THROUGH THE USE OF COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT SHALL BE RECEIVED IN EVIDENCE AGAINST HIM IN A TRIAL BY COURT-MARTIAL.

TITLE 10, UNITED STATES CODE, SECTION 1219, PROVIDES THAT: NO PERSON IN THE ARMED FORCES MAY BE REQUIRED TO SIGN A STATEMENT OF ANY NATURE RELATING TO THE ORIGIN, OCCURRENCE, OR AGGRAVATION OF ANY DISEASE OR INJURY HE MAY HAVE. ANY SUCH STATEMENT AGAINST HIS OWN INTEREST, WHENEVER SIGNED, IS OF NO FORCE AND EFFECT.

FIFTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROVIDES THAT: NO PERSON SHALL BE COMPELLED IN ANY CRIMINAL CASE TO BE A WITNESS AGAINST HIMSELF.

INITIALS OF PERSON MAKING STATEMENT

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