

# 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 Washington, DC	DATE 28 Sep 70	TIME 0900hrs	FILE NUMBER 69-CID011-00070
LAST NAME, FIRST NAME, MIDDLE NAME SHERWOOD, Richard Elfe	SOCIAL SECURITY ACCOUNT NO.		GRADE Crim Inves
ORGANIZATION OR ADDRESS Det B, 3d MP Gp (CI), Ft Bragg, NC w/duty 1st MP Det (CI), Washington, DC			

## SWORN STATEMENT

I, \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

## INVESTIGATOR's STATEMENT

On 26 September 1970, Mr Robert David SMITH, \_\_\_\_\_, Box 59AA, Troup, Texas, a former member of Co C, 1st Bn, 20th Inf, Americal Division, was interviewed at Tyler, Texas. After being advised of his right to legal counsel and to remain silent, R. SMITH stated that prior to making a written statement he would like to talk to his lawyer. However, after being shown the color photograph depicting seven Vietnamese Nationals, four adult females and three children, R. SMITH stated that he recalled this scene. He stated that he was standing close to this group of people when they were shot by Gerald SMITH and Charles WEST. He also stated that prior to the shooting, G. SMITH had attempted to "feel up" the two younger adult females, the one standing directly behind and with her arms arounds the old woman in the front and the one that is buttoning her blouse and holding a small child on the right side of the photograph. R. SMITH stated that the only people that he saw shoot into this group of people was G. SMITH and WEST. He further stated that as the two men started shooting into the group, he, R. SMITH, turned and walked away. R. SMITH further stated that a couple of minutes later he walked back by the group and most of them were dead. A couple of them were just wounded, but he did not know what happened to them as he kept on going. He was sure none of them were given medical attention.

Since R. SMITH had indicated his desire to talk with legal counsel, no further questions were asked. A written statement was not taken.

The photograph that was shown to R. SMITH and which he made comments about, is the same color photograph which is attached to the original of CID ROI 69-CID011-00070 as Exhibit V.

EXHIBIT W	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES
<p>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.</p>		

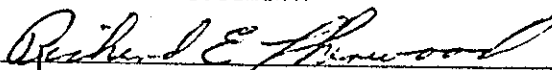
DA FORM 2023  
1 JAN 68

## AFFIDAVIT

I, Richard E. SHEPWOOD

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.

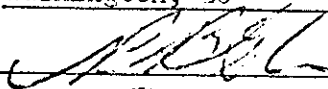
WITNESSES:



(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of September, 19 70 at Washington, DC

ORGANIZATION OR ADDRESS



(Signature of Person Administering Oath)

Robert B. RAHAY, Jim Trves

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Art 126b (4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

EXHIBIT W