

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 Fort Myer, Virginia	DATE 2 Mar 70	TIME 1500 hrs	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME SERAFIN, Robert Edward	SOCIAL SECURITY ACCOUNT NO. Criminal Investigator		GRADE
ORGANIZATION OR ADDRESS 4th Military Police Detachment (CI), Fort Myer, Virginia 22211			

SWORN STATEMENT

I, Robert Edward SERAFIN, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

INVESTIGATOR'S STATEMENT

RE At approximately 0900 hours, 23 February 1970, I was informed by Criminal Investigator William McCOY, CID Agency, Washington, DC, that Rampart magazine was about to release a story concerning alleged atrocities in Vietnam involving members of Company B, 1st Battalion, 35th Infantry, 4th Infantry Division. According to the story, written by James D. HENRY a former member of Company B, on or about 9 February 1968, 19 women and children had been killed in the village of Cau Lau by members of Company B, commanded by CPT Donald REH upon the orders issued by the Battalion to kill anything that moved. McCOY requested that I interview CPT REH and [redacted] who was the Battalion Executive Officer at the time, concerning the alleged atrocities.

At 1000 hours, 23 February 1970, I contacted CPT REH by telephone and requested that he be present at my office for an interview concerning an incident that had occurred while he was stationed in Vietnam. CPT REH stated that he would be at my office at approximately 1100 hours for the interview.

At 1020 hours, 23 February 1970, CPT Kenneth GRIFFITH, Legal Assistance, Pentagon, Washington, DC, contacted me by telephone and stated that if the interview of REH concerns atrocities in Vietnam and an article to be published in Rampart magazine, then he had already advised REH not to make any statement and that REH would not be at my office for an interview. GRIFFITH also stated that he and REH had discussed the incident and the Rampart article on 22 February 1970.

At 1415 hours, 23 February 1970, I interviewed and obtained a written statement from [redacted] concerning the incident.

CPT Donald REH is presently assigned as a student with the Student Detachment, Headquarters, Military District of Washington, Fort Myer, Virginia, and is studying the Hindu language. REH has been assigned to the Student Detachment since 7 August 1969 and is due to graduate on or about 7 August 1970. The following personal data was obtained from REH's personnel records: CPT Donald Carl REH; [redacted] Student Detachment, Hq MDW, Fort Myer, Virginia; [redacted] SECRET; 15 June 1942; Washington, DC; Male; Caucasian; 71 inches; 160 lbs; brown hair; brown eyes; medium build. According to the records, REH was the Commanding Officer of Company B, 1st Battalion, 35th Infantry, 4th Infantry Division, in February 1968.

//////END OF STATEMENT//////

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <i>RE</i>	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.

STATEMENT BY ACCUSED OR SUSPECT PERSON
(AR 195-10)

PLACE <u>4th MP Det (CI), Ft. Myer, VA 22211</u>	DATE <u>1 Mar 70</u>	TIME <u>1120 hrs.</u>	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME <u>REH, Donald Carl</u>	SOCIAL SECURITY ACCOUNT NO. <u>[REDACTED]</u>		GRADE <u>CPT</u>
ORGANIZATION OR ADDRESS <u>Student Detachment, Hq MDW, Ft. Myer, VA 22211</u>			

PART I - WAIVER CERTIFICATE

I HAVE BEEN INFORMED BY Mr. FLANAGAN
OF US Army CID
THAT HE WANTS TO QUESTION ME ABOUT Murder

OF WHICH I AM ACCUSED OR SUSPECTED. HE HAS ALSO INFORMED ME OF MY RIGHTS.
I UNDERSTAND THAT I HAVE THE RIGHT TO REMAIN SILENT AND THAT ANY STATEMENT I MAKE MAY BE USED AS EVIDENCE AGAINST ME IN A CRIMINAL TRIAL.

I UNDERSTAND THAT I HAVE THE RIGHT TO CONSULT WITH COUNSEL AND TO HAVE COUNSEL PRESENT WITH ME DURING QUESTIONING. I MAY RETAIN COUNSEL AT MY OWN EXPENSE OR COUNSEL WILL BE APPOINTED FOR ME AT NO EXPENSE TO ME. IF I AM SUBJECT TO THE UNIFORM CODE OF MILITARY JUSTICE, APPOINTED COUNSEL MAY BE MILITARY COUNSEL OF MY OWN CHOICE IF HE IS REASONABLY AVAILABLE.

I UNDERSTAND THAT EVEN IF I DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING COUNSEL PRESENT, I MAY STOP ANSWERING QUESTION AT ANY TIME. ALSO, I MAY REQUEST COUNSEL AT ANY TIME DURING QUESTIONING.

I ~~(DO)~~ ~~(DO NOT)~~ WANT COUNSEL.
I ~~(DO)~~ ~~(DO NOT)~~ WANT TO MAKE A STATEMENT AND ANSWER QUESTIONS. *Donald Carl Reh*
(Signature of Person To Be Questioned)

de I understand that the word counsel also means a lawyer. *de*

INTERROGATOR: *Hermann P. Flanagan* (Signature) WITNESS: *Ronald K. Mathias* (Signature)

Hermann P. FLANAGAN Ronald K. MATHIAS
4th MP Det (CI), Ft. Myer, VA 4th MP Det (CI), Ft. Myer, VA
(Typed Name and Organization) (Typed Name and Organization)

PART II - SWORN STATEMENT

I, _____ WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF _____ PAGES
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DECLASSIFIED
Authority: JND 110102
By: MSNARA Date: 11/10/02

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PLACE 4th MP Detachment (CI), Ft. Myer, VA	DATE 13 Mar 70	TIME 1145 hrs.	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME FLANAGAN, Hermann Paul	SOCIAL SECURITY ACCOUNT NO. [REDACTED]		GRADE Crim Inves
ORGANIZATION OR ADDRESS 4th MP Detachment (CI), Ft. Myer, Virginia 22211			

SWORN STATEMENT

HP Hermann P. FLANAGAN, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

INVESTIGATOR'S STATEMENT

At 1120 hrs, 13 Mar 70, CPT Donald C. REH, [REDACTED] Student Detachment, Hq MDW, Ft. Myer, VA was interviewed at this office by myself and Crim Inves Ronald K. MATHIAS. REH was advised that he is suspected of murder and was read his rights. REH at this time stated that he did not want to make any statement or answer any questions. REH signed the waiver certificate, DA Form 2820 reflecting that he did not want to make a statement. *HP*

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <i>HP</i>	PAGE 1 OF <u>2</u> PAGES
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