

STATEMENT SUMMARY

Name: Sissy Atkinson

Significance to Beach's Clemency Application: Beach claims she orchestrated and participated in Kim Nees's murder because she was jealous that Kim dated Alex Trottier, her baby's father. Beach also claims that Sissy made admissions of her involvement to others.

Summary of March 20, 2007 Tape Recorded Statement

Relationship with Kim and Beach

Sissy knew of Kim but did not really know her. Kim was younger than her. She actually knew Pam better than Kim. (19.) Sissy had never been inside the Nees truck. (22.) Sissy did not know Beach personally although she knew of him. She remembers her mom yelling at Beach one occasion when he tried to steal a wine bottle from one of the street people. (22.)

Recollection of Activities on Evening of June 15, 1979

Sissy recalls that she was cruising in Maude Greyhawk's car with Maude, Joanne Jackson and Roberta Jackson. She was with the girls for about an hour. She estimates that around 11 p.m., she bought them beer at the Buckhorn Bar. When she came out of the bar she saw someone hit Frank Marottek's car so she went back in and told him. (5, 7, 10-12.) Around the same time, she also recalls seeing the Nees truck drive by. There was some guy who appeared to be chasing the truck. (10-11.) After this, Maude dropped her off at home, she watched T.V. and went to bed. (7-8, 11-12.) She found out about Kim's murder while listening to the scanner the next morning. She and her brother's girlfriend, Rose, jumped into a vehicle and drove to the crime scene. There were already lots of cars lined up with people watching. She knew it was one of the Nees girls and assumed it was Pam because Pam was pretty wild. When Pam walked up, however, she realized it was Kim. (8.)

Statements and Motives Centurion Ministries Attributes to Her

She knows Dunn O'Connor but does not remember calling him and telling him about Kim's murder. (28.) She denies ever making a statement about Kim's homicide to her brother, J.D. Atkinson, and is very upset that he would say such a

thing. (17-18.) She did live in Billings for a time and did hang out at the Empire Bar, but she does not know Johnny Buffalo. Further, she left Billings in March 1999 and has never been back. She was not in the Empire Bar in Billings at any time in 2002. (15, 30.) She worked with Carl Four Star at A&S Tribal Industries. She never made a statement to him or in front of him about Kim's murder. (16.) Alex Trottier is the father of her daughter, but he was never her boyfriend. She snuck around with him, but never wanted to be seen in public with him. She has no idea if Kim ever dated him and would not have cared if she did. (19-21.)

Assessment of Centurion Ministries' Investigation

When a Centurion Ministries' investigator first approached her, he was rude and blunt and accused her of being involved in Kim's murder. Sissy reports she was "rude and blunt back." (14.) Sissy adamantly denies any involvement in Kim's murder and denies having a motive to kill Kim. (19, 22.) To this day, she is willing to take a polygraph and has always cooperated with law enforcement. She has given two sets of prints and hair samples. She is tired of being harassed and stated, "I would just like it all to go away, 'cause I have been harassed for 28 years and like I said, when we all go to heaven, we'll find out the truth and I'm sitting here today telling the truth. I was not there. I did not do anything to Kim. I don't know who did. If Barry didn't do it, I don't know who did it, but like I said, I would never confess to something I did not do." (25.)

Sissy also added that she was the youngest child in her family and has eight brothers. She watched her mom cry daily over her brother who was murdered at the age of 30. Her mom was tortured by her brother's murder, and she would never put another person's mother through what she watched her mom go through. (30.)

MONTANA DEPARTMENT OF JUSTICE

INTERVIEW

State V. Beach

Sissy Atkinson

March 20, 2007

MONTANA DEPARTMENT OF JUSTICE

CASE NO: State V. Beach
DATE: March 20, 2007
TIME: 11:39 a.m.
AGENT: Ward McKay
LOCATION: Transitional Living Center, Poplar, MT
PRESENT: Agent Ward McKay (WM), Sissy Atkinson (SA), Tammy Plubell (TP), Mike Wellenstein (MW), Ritchey McDonald (RM), Bobby Atkinson (BA)
INTERVIEWEE: Sissy Atkinson

WM: This is Agent Ward J. McKay of the Montana Department of Justice, Division of Criminal Investigation. The date is March 20, 2007. The time is approximately 1139 hours. The location of this interview is in Poplar, MT at the Transitional Living Center in a conference room. The purpose of this recording is to document a conversation with Sissy Atkinson. Also present besides myself is Sissy Atkinson, Tammy Plubell, Mike Wellenstein, Officer...a sheriff's department officer, Richie McDonald and at Sissy's request, her brother, Bobby Atkinson is also present. Sissy, would you state your complete name, please?

SA: Dottie Sue Atkinson.

WM: And Sissy is the name that you go by and have for years?

SA: Yes, my brother gave me that name.

WM: Okay. Can I call you Sissy?

SA: Sure.

WM: Sissy, what is your date of birth, please?

SA: 1-24-56.

WM: And your social security number?

SA: [REDACTED]

WM: Sissy, where do you reside?

SA: In Poplar, MT.

WM: Have you lived in Poplar, MT for a long time?

SA: Yes, most of my life.

WM: At times, I understand that, from reading some material, that you possibly lived in other locations for awhile, once in awhile?

SA: Right.

WM: But uh, uh, right now, anyway, you reside in Poplar?

SA: Right.

WM: Okay. Sissy, we met just a few minutes ago, isn't that correct?

SA: Correct.

WM: When Officer Ritchie McDonald and I came to your house and asked you if you would accompany us down here to uh, meet the Assistant Attorney Generals that are here today and um, we wanted to try to obtain a statement from you, is that correct?

SA: That's correct.

WM: Did we coerce you or threaten you to coming here today?

SA: No.

WM: Okay. Are you here of your own free will?

SA: Yes, sir.

WM: And do you understand that you are not obligated to talk to us...that you can leave at any time? It will not be held against you in any way if you do.

SA: Right.

WM: You can stop answering at any time...

SA: Yeah.

WM: ...if you wish. You understand that?

SA: Right.

WM: Okay. Sissy, I have to advise you that at some point, if you were to incriminate yourself in criminal activity, I would stop you and Mirandize you. I, I don't have any reason to believe that, that uh, you're involved in any criminal activity, but if you, if we get into an area that's possibly self incriminating, I will advise you of your rights to stop answering questions.

SA: Okay.

WM: Okay? Is that fair?

SA: Yes.

WM: Okay. Um, Sissy, I...when we first met, ha-...did we talk in detail about what we wanted to talk to you about today?

SA: Not...Not really, you didn't. Just told me...

WM: I, I told you...

SA: ...about the Barry Beach case.

WM: Right. And...in other words, has anybody here told you what to say today?

SA: Oh, no. No.

WM: Okay. Uh, we're starting new. I don't know...

SA: Right.

WM: ...you. You don't know me, in other words.

SA: Right.

WM: Okay. Um, Sissy, one thing that you mentioned when we met at your apartment there is uh, you said, you told me that you're recovering from an addiction.

SA: Right.

WM: And how long have you been clean?

SA: 43 days today.

WM: And there's a smile on your face. You look like you're pretty proud of that.

SA: Yeah.

WM: And you, you have reason to be proud. That's a good thing. Um, how you doing today physically?

SA: Uh, good.

WM: Y-You also told me that you thought you might have got food poisoning from something yesterday evening.

SA: Yeah, his chili.

WM: His, Bobby's chili? Okay. Well, I-I appreciate you coming down here and, and uh, talking with us and I...if you uh, if you need to take a break or if you're feeling ill, just tell me and we'll...we'll get you out of here.

SA: Okay.

WM: Um, we are here today to, to discuss some, some things about the Kim Nees homicide as well as the Barry Beach clemency. It's inter-related, of course.

SA: Um-hum. (affirmative)

WM: Um, let's start with this, in, in June of 1979, specifically June 15, 1979...late hours of the 15th...I believe it was a Friday night and the early morning hours of that same evening which would have been Saturday early morning of the 16th of June, 1979. Do you remember where you were or what you were doing?

SA: Yeah, up to, I don't know up until what time, but earlier in the evening um, I was with Maude Greyhawk, Joanne Jackson and Roberta Jackson and they weren't old enough to buy so um, I went to the Buckhorn Bar. I went in and bought them a six-pack of beer and I come out and when I was coming out the door there, some guy in a car hit the owner of the bar's pickup and his name was Frank Morodick (sp), so I went back in the bar and I told Frank Morodick(sp) that this individual by the name, I don't know his real name. His nick-, nickname is Sawhorn Jones and uh, I went back in. I told Frank to call the cops 'cause he ran into his vehicle. So, the cop came and it was Stevie Greyhawk, Maude's dad and so, I had them take me home and my mom was there waiting and they dropped me off at home and that was that.

WM: Okay, prior to being at the Buckhorn and, and buying beer, did you and the other girls cruise around at all?

SA: Oh, a couple cruises. Not, not very...over an hour...just a short time.

WM: Okay. And when I say, cruising around, um, for the purposes of, of expanding on that a little bit um, is that basically up and down the highway in Poplar?

SA: Up and down in town.

WM: Up and down the drag?

SA: In town, Main Street and then up by the school, and turn around and come back, go through Main again. That's the drag.

WM: Okay. And when you say, "turn around by the school"...is that the high school?

SA: Yes.

WM: And...and that football field wasn't there in those days, was it...down, down below?

SA: I don't believe so. I don't think it was.

WM: Okay.

SA: You know.

WM: Well, correct me if I'm wrong, but um, in any event...

SA: It was a track field.

WM: Right. Right.

SA: Right.

WM: And, And there were trails going down towards the river off the highway there, wasn't there? Do you know that?

SA: Oh, I don't know that. Up on the big hill there was 'cause people used to climb it with motorcycles.

WM: Okay. Do you remember any trails that take off of Highway 2 and went down along the river there, back towards...

SA: Well, there's roads.

WM: Yeah. That's...

SA: Yeah.

WM: ...what I meant...not trails.

SA: Yeah. Yeah. Roads, yeah.

WM: Yeah. Did you ever go down in there that evening?

SA: No.

WM: Okay.

SA: No.

WM: But...so, when you turned around, it was basically on the west side of town?

SA: At the high school.

WM: Or at the high school and back.

SA: Yeah...at, at the high school and went back into town.

WM: Okay.

SA: We never ever went out of town at all that night.

WM: Okay. Um, then you said that you bought some beer...

SA: I bought them a six-pack of beer 'cause I was the oldest one.

WM: Okay. And then you seen the wreck...reported the wreck, right?

SA: Right.

WM: And uh, somebody gave you a lift home.

SA: Yes.

WM: But it wasn't the girls?

SA: Yes, it was those girls.

WM: Oh, it was the girls?

SA: Yes. Uh-huh. (affirmative)

WM: They took you home?

SA: They took me and dropped me off right next to Barker's 'cause I lived right next to Barker's with my mom.

WM: Okay. And what did you do at home then?

says she
Mandy lost track of Susy
at beachshore + never saw her again
Joanne says that when she + Robert
were dropped off Susy was still in
the car.

SA: Just watched TV and went to bed.

WM: Okay.

SA: And then the next morning um, we were listening to the scanner and that's how we found out what had happened or they just said that there was a...it came on the scanner, it was Togo Lazotte (sp) and he just said um, find out who had um, had Ted Nees' pickup last night and then um, and my brother, Denver's, girlfriend, Rose Atkinson, was there and so, her and I jumped in some vehicle...it had to have been her vehicle 'cause I didn't have one...and we went down, come up by the school and there was just a whole line of cars parked on the right hand side facing Wolf Point and they were all watching what was going on.

WM: Down in the river bottom?

SA: Um-hum. (affirmative) And so, Rose and I were sitting there and to tell you the truth, when they...they said it was a Nees girl and when they said that, I honest to God thought it was Pam Nees not Kim because Pam was pretty wild and, and then we were sitting there, Rose and I, and Pam come walking up and got in our vehicle with us...Kim's younger sister, so then that's how I knew it was Kim.

WM: And did Pam realize it was Kim at that point?

SA: Um-huh. (affirmative) She said that her mom and dad had heard it at a café or something.

WM: Did...were you able to...could you see down in the river bottom?

SA: Uh-huh. (affirmative) Well, you couldn't see where the body was 'cause it was over the river bank. We were on the right hand side of the highway and it was way over here.

WM: Okay. Could you see the pickup from where you were?

SA: Yeah.

WM: Okay.

SA: It was faced, I think that way, I'm not sure.

WM: Okay. What time in the morning do you think that was?

SA: It was whatever time it came on the scanner. I don't know what time that was.

WM: Okay.

*Nonsense
Cops called
Ted about
7 AM*

SA: But I was up.

WM: But your mom and you had a scanner in the house apparently...

SA: Um-hum. (affirmative)

WM: ...and heard it on the scanner, so you went to see...

SA: No, and Denver's girlfriend came in 'cause she stayed at home and uh, she says, "Let's go check it out," so her and I jumped in the vehicle and right when we got there, there was already a whole row of cars like ten or so, all pulled over to the right hand side of the road facing Wolf Point and everybody was looking that way.

WM: Okay. So, the vehicles were facing west, but kinda pulled over on the...

SA: Th-They were all...

WM: ...north side of the road.

SA: ...pulled over on the side in a line.

WM: Yeah. Okay. All rightie. Uh, what vehicle were you girls in that night?

SA: Oh, it had to have been so-...a vehicle, her, it was uh, um, a real funny green um...

WM: Passenger car?

SA: Pardon me?

WM: Was it a passenger car?

SA: What do you mean by that?

WM: That uh, just like a regular family car?

SA: Yeah. It was four-door.

WM: Okay.

SA: Um, but, I'm not very good at makes an models.

WM: Okay.

SA: It was Stevie Greyhawk's car...

WM: Okay.

SA: ...'cause Maude was driving it.

WM: Okay. Did you drive at all that night?

SA: No.

WM: Okay. Um...

SA: I was with 'em only a total of one hour tops for the buying of the beer and the cruise and everything and then I went home.

WM: Okay. Now, I've read some material regarding uh, what your observations were that night as they were documented by various sources of information, but um, do you remember when that...when you seen the person strike uh, uh, the vehicle collision there by the bar...

SA: Right.

WM: Um, did you see somebody afoot?

SA: Well, I seen um, that pickup, Nees' pickup go by...

WM: Yes.

SA: ...and it was going towards Highway 2 and there was somebody running. I don't know for sure if they were chasing the pickup or not and I told Pam that that day she come and jumped in with us. I said, but I don't know for sure if they was chasing that pickup or not, but her pi...the, her dad's pickup went by and there was somebody running and so when I told Pam that, the next day I think it was, a cop by the name of uh, Osgood, Don Osgood, he come and got me in, in a cop car and he took me down there on the scene and I think that's where the rumors started flying.

WM: Okay and...

SA: And I told...

WM: ...he took you to the scene for what reason, do you know?

SA: Uh, some um, some detective or something wanted to talk to me and he asked me if he thought they could hypnotize me where I could look and see who was chasing that pickup and I told him I don't think I could be hypnotized.

WM: Okay. Well, did you recognize anybody inside the pickup?

*Can act
Pam in +
Drive in +
with G wanted
12:00
off being got home
at 10:30 or 11:00
she didn't see
him driving
was it Pam?*

SA: I believe that...I didn't even notice. I just noticed the pickup went by fast, but I was coming out the door. Her pickup went by, but then my attention was on, and then that wreck happened at the same time or just so close....

WM: So, all this was happening at the same time...

SA: Right.

WM: ...the Nees vehicle comes by...the man's afoot running...

SA: Right.

WM: ...and the two vehicle...one vehicle hits a parked vehicle?

SA: Right.

WM: Okay. A lot of activity all of a sudden.

SA: Um-hum. (affirmative)

WM: Um, did you recognize the person afoot?

SA: No. I didn't even look 'cause at that same time was that wreck. I heard the...the crunch.

WM: And was the person afoot male or female?

SA: I believe he was a male. Like (unintelligible) I'm not sure. Somebody was just running. I don't know for sure if they were even chasing that vehicle...just everything just happened so fast.

WM: Okay. You said you were with the girls for an hour tops.

SA: Tops.

WM: Um, what hour of the evening would that have been? Um...

SA: It was before...

WM: ...from what...

SA: ...midnight. It was like 10:30 or so...11:00...'cause I got home quite early that night.

WM: So, uh, what time would you estimate you got home?

SA: About 10:30...something to 11:00.

WM: Okay. So, you would have been...

SA: Whatever time that wreck was, if you could go back and find out when that...

WM: Okay.

SA: ...wreck was.

WM: Okay, but in your own words though, you remember it being relatively early in the evening?

SA: Yeah. Oh, yeah.

WM: And so, you would have been with the girls from 9:30 or 10:00 to 10:30 or 11:00?

SA: At the...at the most, yeah.

WM: Okay. Um, you've talked to investigators initially, correct?

SA: Correct.

WM: Uh, local law enforcement officials regarding what you've seen...

SA: Correct.

WM: ...concerning the, the wreck and the man running and the Nees vehicle coming by...

SA: Right.

WM: ...um, eventually did you, were you asked to give samples of your uh, fingerprints or anything?

SA: Um, I was subpoenaed. I was living on Hwy 2 and there was a criminal investigator by the name of Tim Smith here and he was my cousin and I was renting his grandmother's house, my aunt's house right between Sunrise and Conoco on Hwy 2 and I was getting ready to move out of that, that house and uh, Timmy had brought, I believe uh, a, a FBI guy, Jim Wilson and another guy, but I can't remember what the other guy's name was and they brought me a subpoena for my hair samples, my hand print and my fingerprints. I went up to the jail. Um, they showed me their badges and they took my hair, hair samples, my palm print and my fingerprints.

WM: Okay. Do you know how long after uh, that night, how long afterwards was that that they got your prints and hair?

SA: Dang, I don't...I really couldn't tell you.

WM: Can you estimate?

SA: Well, um, yeah, it was uh, after '86.

WM: So, it was...

SA: Because I was with...I got with this guy that I was with at the time in '86, so it had to have been after that... '86 or '87.

WM: So, seven or eight years later?

SA: Correct.

WM: Okay. Did you ever hear any outcome of that?

SA: Nope.

WM: Okay.

SA: And I remember Donald Carpenter. He was the Sheriff in Wolf Point and he came and he took me to the jail from my mom's house and he told me, he said, "Sissy," he said, "You give um, hand prints and fingerprints and," he said, "And if you're cleared from it, you will not ever be harassed over it again," and I did. I give prints two different times.

WM: Okay.

TP: Yeah, that's right.

SA: Yep.

WM: Okay. Sissy, there's been other people talk to you about this, hasn't there?

SA: Such as?

WM: Such as Centurion Ministries representatives?

SA: Yes.

WM: And uh, what did they talk to you about?

SA: They just told me, "We think you're involved in the Kim Nees murder". They were very rude and blunt about it and so, I, I was rude and blunt back to them.

WM: And did, did you...did they interview you like this?

SA: No.

WM: Meaning, did they have a tape recorder and...

SA: No.

WM: ...were they interested in what you had to say or were they more accusing you?

SA: They accused me straight up.

not true.

WM: So, they, they...

SA: They did not...the interview was right at my brother Bobby's house. Because they, they caught my daughter downtown. They go, "Oh, we heard your mom's in town and we need to talk to her. She's guilty of something". You know, and my daughter come down there and told me they were coming down and I'm j-...I'm tired of them harassing me.

WM: Okay. And so, basically you...because of their character or whatever, you d-...

SA: Well yeah, and then Bobbi Beach...

SM: ...you decided...

SA: ...had some lady sit across the street from my house. I reported it to the police and she um, come to my door and represented herself as an FBI agent wanting to talk to me.

WM: And when you say, Bobbi Beach, who is that?

SA: Barry Beach's mom.

WM: Okay. So, you've...to use your own words, you've been harassed a little bit you feel?

SA: Harassed! And this is what I told them all and I will tell you. Maybe there's nothing I could say or do right now, but when we all die and go to heaven and they find out I didn't do this, I hope they're big enough to come and tell me they're sorry for harassing me all these years.

WM: Well, I hope they are, too.

SA: I hope they are, too.

WM: Do you know a guy named John or Johnny Buffalo? Did you ever meet him?

SA: No.

WM: He's uh, I believe he's either a Crow or Northern Cheyenne native. Um, but he gave a statement to the Centurion Ministries where he says that he met you in Billings one night at the Empire Bar.

SA: God, I...

WM: You met...

SA: ...don't remember.

WM: Were you ever at the Empire Bar?

SA: Yeah, I used to go hang out with a guy that my brother Bobby worked um, worked with here in town. He was part black and part Indian. His name is Holt Merrit.

Familiar with the bar. Real conversation

WM: Okay.

SA: nickname was Goldie, but I don't remember ever...and I've got a good memory um, on meeting people and faces.

WM: Okay. Would that have been approximately 2002 that you were in the Billings area or do you know?

SA: Mmm...I moved there in uh, February of '79 and I moved back...

WM: Excuse me, February of '79?

SA: Oh, '97, I'm sorry...

WM: Okay.

SA: ...'97, yeah, I'm sorry.

WM: Okay.

SA: Oh, it was the year my granddaughter graduated. I moved there in February of 1997 and um, March of 1999, my brother Bob, his wife and his daughter that was dying of cancer came to Billings and his daughter asked me if I would come home for about a month and I told her that I would try, but at the time I was strung out

on crystal meth. Um, Bobby and his family went back to B...Poplar. The next morning, my brother Bobby called me and told me that our Aunt Helen died...that she was in a nursing home in Billings. Um, the next day, I came back to Poplar...in March of '99 and I've never been back to Billings since.

WM: So, you weren't in Billings in 2002?

SA: Nope. I was in Great Falls.

WM: Oh.

SA: I moved there in October of '99 and I moved back September of '05 and I never went back to Billings.

WM: Okay. Do you know a, a lady by the name of Sheila Flying?

SA: No.

WM: Do you know a guy by the name of Carl Fourstar?

SA: Uh, from Wolf Point?

WM: Yeah.

SA: Yeah. I worked with him at A&S. He was a friend of my ex-boyfriend's.

WM: Did you ever talk to him about the, the Nees case or the Beach case?

SA: Never.

WM: Okay. The reason I'm asking some of these questions is, some of these people have provided statements that you, you...during conversation that you'd blurt out certain things like uh, "I was there the night she got killed".

SA: I was not there the night she got killed and I would never say that...ever. And like I told Dateline, I was interviewed on my birthday this year of Dateline and I told 'em, "If Barry did kill Kim...I don't know who killed her, but if I did not kill somebody, I sure the hell would not confess to it. Nobody could make me confess to something I did not do".

WM: Well, I understand that.

SA: I don't care. They could put a gun to my head and I ain't gonna say something that...I was...I did something that I did not do. That's just bizarre!

WM: Okay. So, as far as Carl Fourstar goes, you never said anything to him like, I was there that night...

SA: Never.

WM: ...I didn't do it, but I...

SA: I never ever discussed it with him.

WM: Okay. Now, do you know of a man named JD Atkinson?

SA: How well I do.

WM: And you have the same last name. What's the relationship?

SA: He's my brother.

WM: Older or younger?

SA: Older. I'm the youngest out of eight boys and one girl.

TP: Oh...

WM: And uh...

TP: You poor thing.

WM: How would you characterize your relationship with JD?

SA: Mmm...well, he's my brother and I love him, you know, but...(Crying)

WM: It...it's okay, Sissy. For the purpose of the recording as a result of my recent question of Sissy, she's gotten a little emotional here, but...Sissy, let me rephrase the question. JD is your brother, right?

SA: Yes.

WM: Have...have there been times when you know JD to be strung out or on dope?

SA: Yes.

WM: Is JD...has JD been in trouble with the law?

SA: Yes.

WM: Do you know why JD would say anything against you?

SA: No, I don't.

WM: W-Were you aware that he has?

SA: Yes.

WM: Was that yes?

SA: Yes.

WM: And do you know anything about that or is he just making up stuff or what, what's going on?

SA: I, I never ever, ever had that conversation with him.

WM: And did...who did you hear it from that JD had, had said something...

SA: I read it in the paper.

WM: Did it surprise you?

SA: It really surprised me.

WM: Did you talk to JD about it?

SA: No. Nope.

WM: Was the paper true?

SA: No. No.

WM: So, whatever JD said about you saying to him...

SA: I never, ever talked to him.

WM: ...that you were there and knew who killed Kim Nees, is that a falsity?

SA: Yes, it is.

WM: You mentioned that, that you had a...it might have been a brief conversation with the Centurion Ministry people, right?

SA: Very brief.

WM: Okay. And you mentioned that you gave a statement to Dateline on your birthday this year, right?

SA: Right.

WM: Uh, can you tell us a little bit about what type of questions they asked you and what your responses to those were?

SA: I...when they'd had ask me, you know, I would tell 'em I don't know because I don't know.

WM: Did you...did you tell them the truth?

SA: Yes, I did.

WM: Has everything you've said here today the truth?

SA: Yes, it is.

WM: Did they, did they ask you if you were present when Kim Nees was killed?

SA: Yes, they did.

WM: What was your response?

SA: No, I wasn't.

WM: Did you ever fight with Kim Nees?

SA: No, I didn't even know Kim. I didn't even know her. She was quite eh, quite a lot younger than me.

WM: Okay. Um...

SA: I had no reason to beat her up.

WM: Okay.

SA: And Alex was not my boyfriend, her, my, my daughter's dad was never ever my boyfriend. I just got caught.

WM: Well, I don't know what you're talking about there.

SA: Oh.

WM: Clarify that for us.

SA: He was never a boyfriend. I just got...

WM: Somebody says he was a boyfriend of yours?

SA: It says that in the paper.

WM: Okay.

SA: And he was...

WM: And who is Alex? Give me a complete name.

SA: That's my daughter, Alex Joseph Trottier Jr.

WM: Okay.

SA: Um, it's my daughter's dad.

WM: Okay.

SA: Biological dad. And uh, I, I just snuck around with him. He didn't have a girlfriend or anything, but I never ever wanted to be seen in public with him. I just snuck around with him and I got caught.

WM: Were you...

SA: I got pregnant from him.

WM: ...married at the time?

SA: No.

WM: Was he married at the time?

SA: No.

WM: So, you didn't really want to be seen with him but you went out with him a time or two?

SA: Right.

WM: And wound up getting pregnant over the deal.

SA: Right.

WM: Okay. Um, apparently in the paper it says something about Alex and you?

SA: Um-hum. (affirmative) um, my daughter's dad or something like that.

WM: Okay. And what did it say about it?

SA: That I uh, had done that because Kim had went out with my daughter's dad.

WM: Like as if Kim went out with Alex?

SA: Yeah.

WM: Did you know that?

SA: No. I-I didn't know it. Like I said, I snuck around with him. My god, I never did go in public with him.

WM: Okay. Is Alex still around?

SA: No. I don't even know where he lives.

WM: Is there anything that you told Dateline that we should know about here?

SA: Not that I remember. Just...I answered the questions just as well as I could like I'm doing now and I told them that I'd be willing to go take a lie detector test and he says, "Well, why then don't you go to Glasgow and get one done?". And I said, "Well, I don't know how to go about it".

WM: And have you ever been requested to take a polygraph?

SA: No.

WM: But you would if somebody asked you to...

SA: You bet!

WM: ...but nobody's ever asked you?

SA: Nope.

WM: You have nothing to be afraid of?

SA: Nothing at all.

WM: I'm going to ask you some pointed questions now. I already asked you, uh, did you hurt Kim Nees?

SA: No, I did not.

WM: W-Were you there that night...

SA: No.

WM: ...that she died...

SA: No, I was not.

WM: ...down by the river?

SA: No, I was not.

WM: Were you ever in that pickup that you seen...the Nees pickup?

SA: Never.

WM: You've never been inside it?

SA: Never.

WM: Have you ever touched it?

SA: Never.

WM: Do you know anybody that hit or hurt Kim Nees?

SA: No, I do not.

WM: Have you ever seen anybody hurt or injure Kim Nees?

SA: No, I have not.

WM: Did you know Barry Beach?

SA: I knew of him. I didn't know him personally because um, one time my mom was yelling at him because he was...uh, we lived next to the bar all my life, since I was four years old and um, my mom was yelling out the window at him because he was uh, trying to take one of the street people's...the winos, they used to drink right behind my mom and dad's bar and we lived right next door...and he was trying to take their bottle away from 'em and I didn't see it. I just remember my mom saying that she yelled at him to get the heck out of there. Um, but I never in my life talked to Barry Beach.

WM: He was younger than you as well, wasn't he?

SA: Right.

WM: Okay. Did you graduate high school?

SA: Uh, GED.

WM: Okay. And as far as today, are you on any medication?

SA: Oh, yeah.

WM: What?

SA: Um, I'm taking Ceboxal (sp).

WM: What's that for?

SA: Um, it's like anti abuse is to alcohol. Um, I take it for...because I was addicted to pills for seven years. I got in a c-car wreck in Billings in July of '99 when I was in Billings with Bobby and his wife. I got hit by a bus...a bus backed into me and uh, so, I came back to Poplar and then...and then uh, October '99, I went back to Great Falls because in October '89, I had a shoulder separation down on my left side and it was, it was re-injured in that wreck and so I went back to Great Falls to see Dr. John Avery and he put me in um, physical therapy three times a week for three months. And then my, it wasn't getting any better, so they did an MRI and they found out I had severe um, rotor cuff um, damage and so, he referred me to a pain specialist and um, this doctor uh, prescribed me pain pills and I got addicted to 'em. I abused 'em and uh, I, I've abused 'em for the last seven years and um, February 2nd, I went down to my brother Bobby's house and I was contemplating suicide and um, I had a boyfriend that committed suicide coming off these pills in August of '05 and I can see why he did it. Um, and I told Bobby that if they didn't help me that I was going to kill myself. I had come to that point and so he helped me. Um, he paid for me to go to treatment and everything...um, in Kalispell. I put myself into treatment February 7th, I believe, or, yeah and um, and so I take Ceboxal (sp) for my withdrawals. I take Saraquel(sp). It's a non-narcotic sleeping pill. I take Trazadone (sp) for my restless leg syndrome. And I take uh, I've been taking Remeron (sp) and that's for depression.

WM: Okay. Has any of that affected your judgment here today?

SA: No.

WM: Or your statement?

SA: No.

WM: Okay.

SA: I j-...I take 'em at night.

WM: Okay.

SA: And I take my Ceboxal (sp) three times a day.

WM: Okay. Now, from everything you've said here, Sissy, as kind of a sideline to this whole thing, it appears that you have a good brother here sitting in this room...

SA: Yes, I do.

WM: ...and it appears that you've leaned on him a little bit and it appears that he's handling it pretty good and he...that he's helping you out.

SA: (Crying) I don't know what I'd do without him.

WM: Well, personally, between you and I and probably everybody in this room, congratulations to you and please continue on...

SA: Oh, yeah.

WM: ...in your...

SA: I've got to. It's either...it's, one more pill for me is death.

WM: Okay.

SA: And I know that.

WM: Okay. Keep up that attitude because...

SA: Yeah.

WM: And you know, you're always going to be recovering. It's never gonna be over.

SA: I know. I'm always an addict 'cause you can't...

WM: Right.

SA: ...take a cucumber and turn it back into a pickle.

WM: Yeah. Good point. Well, bottom line is, keep up the good work. Don't let your brother down.

SA: Oh, I'm not gonna.

WM: Okay. Um, is there anything that you'd like to add to this that we haven't talked about?

SA: Uh...

WM: Say it now, please.

SA: I would just like it for it all to go away 'cause I have been harassed for 28 years and like I said, when we all go to heaven, we'll find out the truth and I'm sitting here today telling the truth. I was not there. I did not do anything to Kim. I don't know who did. If Barry didn't do it, I don't know who did it, but like I said, I would never ever confess to something I did not do.

CM didn't start it

WM: Tammy, do you have any questions...

SA: If you guys would like to give me...

WM: ...of Sissy?

SA: ...a lie detector test, I'm very willing to do it.

WM: Well, let me tell you this, I'm not a firm believer in lie detector tests.

SA: Oh.

WM: Or polygraph examinations because...

SA: Yep.

WM: ...uh, I've seen 'em where they don't work. We do not depend on lie detectors or polygraphs in the state of Montana...

SA: Oh, okay.

WM: ...to pass judgment...

SA: I didn't know that.

WM: ...on somebody. So...

TP: But we appreciate your willingness.

SA: Yeah.

WM: And, And that's...

TP: Because that's not something you're aware of.

SA: Yeah.

TP: And you're willing to put yourself out there, so.

SA: Right.

TP: We do appreciate that.

WM: Tammy, go ahead if you have any questions.

TP: I just have a couple questions.

SA: Sure.

TP: Just 'cause we don't want to have to bug you anymore.

SA: No.

TP: And, you know, and we don't want to leave and then say...

SA: No, this is a good thing, maybe (unintelligible)...

TP: ...oh, uh, why, why didn't we ask to see this?

SA: Okay.

TP: Um, were you, were you um, before you stopped and bought some beer...I'm going way back...

SA: Right.

TP: ...to uh, 1979.

SA: Right.

TP: Were you guys drinking before that...

SA: Oh, no.

TP: ...Sissy? Um, and were you friends with Maude...

SA: Yes.

TP: ...and Joanne and Roberta?

SA: Yes.

TP: Did you consider them friends?

SA: Yes.

TP: Okay. Um, and wh-...you gave time...you were trying to give time estimates, but you really tied it more to events like the, the accident that you saw...

SA: Um-hum. (affirmative)

TP: ...so, are you um, when you give those times, are they just, you're just doing your best to recreate...

SA: Exactly.

TP: ...you're not, you know, and I'm sure it was this time or that time?

SA: Right.

TP: Okay. Although you are pretty sure that it was about an hour...

SA: Um-hum. (affirmative)

TP: ...that you were together?

SA: Right.

TP: Um, and you indicated that you didn't really know Kim very well, but...

SA: I know who she was. I don't even...I'm...I don't even know if I've ever talked to the girl in my whole life. I really couldn't honestly say because she was quite younger than I...

TP: Um-hum. (affirmative)

SA: ...and you know, she hung around with my um, my uh, my brother Denver's wife and her graduated the same year, so that's...if anything, that's how I knew her is, you know, Rose graduated with her.

TP: Um, but you also indicated that when you found out that the Nees truck was involved in the...

SA: Right.

TP: ...homicide that your suspicion was...

SA: Pam.

TP: ...Pam?

SA: Yeah, and see, at the time, she was going with one of my nephews, Pam was and I uh, Pam, you know, I knew Pam better than...uh, uh, I knew Pam, but I didn't know Kim.

TP: But did you know of Kim's reputation...like what kind of reputation she had in Poplar?

SA: I don't think she had a bad repu-...I never heard anything bad about her.

TP: Okay. Um, did you...do you know Dunn O'Conner?

SA: Yes, I do.

TP: And who is he? How do you know him?

SA: I've known him all my life. Uh, my, my dad and his dad came to Montana, I believe, the same year.

TP: And...uh, um, do you recall talking to Dunn and telling him about um, Kim, Kim being murdered?

SA: No, I don't remember talking to Dunn about it at all.

TP: Okay. Was...did people after everybody found out about the homicide, about Kim being murdered, was it...was there a lot of talk and speculation going on?

SA: Oh, my god, yes. There was so much...especially in this town.

TP: Um-hum. (affirmative)

SA: I mean, it was, it was horrible.

TP: And did people have different theories? Did everybody agree on what happened or did people...

SA: Oh, I don't...I, I really couldn't tell. I don't know much about that.

TP: Um-hum. (affirmative) Um...

WM: Go ahead, Mike.

MW: Okay. Um, you, you mentioned Alex before and then...what was his last...

SA: Trottier.

MW: And you, you read something in the paper a-about him...you said there was...

SA: Well, it said that um, the...I guess the reasoning for me doing that to Kim was that she had went out with um, my daughter's dad. I don't...I don't know how it...I've got the paper at my house.

MW: So...so...there was, there was an allegation that, in the paper at least, that...

SA: Yeah.

MW: ...you were jealous.

SA: Yeah.

MW: Yeah. Okay.

SA: And I, I don't even know if they did go out. I mean, I don't care, like I said, I, I snuck around with him myself, you know. I mean, he was my brother Denver's best friend and um, Denver never did approve of it. He'd get mad at us, but, um, I never went out in public with him or anything ever. I (unintelligible).

MW: That's all I have.

WM: Bobby, do you have any questions or comments here?

BA: Um, not really. One thing on that John Buffalo...would that have been John Buffalo Horn? Would that have been John Buffalo Horn or John Buffalo?

WM: Just John Buffalo.

SA: I don't even know a John Buffalo Horn.

BA: Remember John Buffalo Horn worked at the BIA. He was superintendent here one year and he had a couple girls.

SA: Oh, and he had a girl named Johnny

BA: Yeah.

SA: Johnny Buffalo Horn. Yeah. I know Johnny Buffalo Horn.

WM: H-How old would he be, Bobby? How old would he be?

BA: John would be an elderly man.

WM: No. No. It's not the same guy then. I'll tell you that right now.

SA: He's probably dead, Johnny's dad.

BA: Yeah. Probably.

SA: Yeah. 'Cause I seen her when I did live in Billings, at a WalMart or something, but no, I've never been back to Billings after I left in March of '99.

WM: Okay.

SA: I was gonna go with him last year and he left me and I got mad at you, remember, and I wrecked your pickup. Remember?

BA: She rolled it.

TP: If you were going to tell...if you had the opportunity to tell the Board...the, the Parole Board who's actually going to hear this on Beach's behalf, um, to tell them, I guess, what it's been like for you to have...to be specifically accused of this, how would you convey that to the Board?

SA: I would just tell 'em, you know, uh, I, I don't believe I'm a bad person, you know, I think I'm a good person, I think...and um, I had a brother murdered when I was 16 years old and he was part Indian. He was murdered right here in Poplar and since I was youngest one home, I was always home with my mom and I used to sit when none of my brothers were around and listen to my mom cry about who murdered her son and to this day, we've never found out. He was murdered July 9, 1972. He was 30 years old. He had four children and all my mom would say was, "I just want to know why my boy," you know and to sit there and watch my mom hurt and cry all these years, I sure wouldn't want any other mom...and I would never want to do anything to have any other mom go through ...you know?

TP: Um-hum. (affirmative)

SA: And uh, she cried for her boy every day.

TP: Wow.

SA: And I, and I never killed anybody in my whole life and I just want this to be over with and you know, and you know, I just don't want anybody to hurt like my mom hurt.

WM: Bobby, do you have anything else?

BA: Well...I-I'm not judgmental of, of uh, Mr. Racicot. He, He was uh, was a prosecutor. Well, I was a witness on uh, on it also.

SA: Um-hum. (affirmative)

BA: An evidence room was broke into that night and I never told anybody about it for three years. Well then, I got subpoenaed in as a witness. Well, Stevie Greyhawk, which is Maude's dad, he was working there, an officer with me and he kicked in the evidence room...broke the lock, so I relayed this message to Mr. Racicot and he said, "I don't dare put you on the witness stand now, because uh, this thing has been tampered with so many different ways and handled improperly that your testimony would not be any help to us at all". So, he would not put me on the stand either, so I don't know if, you know, Mr. Racicot just said, "Well, I got this confession in my hands. I'm gonna run with it," uh, "Everything else we're gonna just let lie and if they find out about it, well, we'll deal with that later". So, I don't understand what he was getting at. But a, so they never interviewed me or the other sheriff's deputy that, when we found the room the next morning. But we do know it was Stevie Greyhawk, Maude's dad, who kicked the door in.

*What does
Racicot mean
by this??*

WM: Do you know why he went through that door?

BA: He shouldn't have. We had the...we had the door double hasped...

SA: Tell him what you had in there.

BA: ...big signs on there and we had all of Kim Nees' clothes...the sweater with the pubic hair on it and all the evidence from...that we gathered from the day before, locked in that room. The sheriff was gonna transport it the next day, so...next morning. And so, I put the signs on both doors. I hasped both doors. "Do not enter. If you need to use the restroom, go home or go to Parkers".

WM: Do you know that...was there anything in that room that was tampered with, to your knowledge?

BA: I couldn't...I c-...if I had to swear to it, I couldn't.

WM: Okay. But, to your knowledge then, you don't know if anything was tampered in that room?

BA: No.

WM: Okay.

BA: But that ruined the chain of evidence that we had on...on the evidence itself.

WM: And Racicot had to make a prosecutorial decision of how to handle that so, he chose...

BA: Not...

WM: ...not to use anything that might have been tampered with. Correct?

BA: Well...I don't know what his, his idea was not to use it. Whether my testimony would have hurt, hurt it during the trial at that point and give 'em...the defense more ammunition.

WM: Well, that, that did come out at trial though. Do you know that?

BA: No, I don't.

WM: Did you attend the trial, Bobby?

BA: I-I could not go in there. I was uh, uh...

TP: You were subpoenaed.

WM: Right.

BA: I was subpoenaed in, so I couldn't go in and so I don't know what all happened.

WM: But, But that, that information, at least some of it, did, did come out at trial.

SA: Yeah, it was in the paper though I thought, too.

BA: But not that the door was kicked in and the evidence tampered but...possibly tampered.

MW: Uh, but that...there was a conference and, and the prosecutor did tell the judge that the chain of custody had been broken because...

BA: Okay.

TP: With defense attorney present.

MW: With the defense attorney present.

BA: Okay.

MW: ...and I think he used the term, "the room that had been broken into".

BA: And I've never known that until just now.

WM: Well, and...

TP: But he did that with the presence of the jury.

BA: Yeah.

WM: But...d-...when I say it came out at trial, that's what I mean. It might have been in judge's chambers or a bench uh, uh, meeting or whatever, but the judge did know about that.

BA: But I, I never made an opinion of whether Barry was guilty or not guilty because I worked for the city and this was a county investigation and I didn't want anything I had to say or do to interfere with...interfere, so I let them handle it. If I did any footwork for 'em, that's about all I had to do.

WM: Bobby, y-you were a cop then right?

BA: Yes, I was acting Chief of Police then.

WM: Okay. Did you ever hear anything that would exonerate Barry Beach from suspicion?

BA: No. Um, Red Wilson...I was in one inter-...interview and he come right out and asked him if he... "Did you kill Kim?", and Barry said, "No," at that time. Uh, I'm sure it was Barry. I shouldn't say that. It's been so long ago...

TP: Um-hum. (affirmative)

BA: ...and I never kept notes.

TP: Um-hum. (affirmative)

WM: Okay.

BA: I know Red Wilson did ask somebody, "Did you kill...kill Kim?" and they, they said they didn't.

WM: Okay. All right. So, y-you had limited involvement in the investigation?

BA: Very limited. I tried to stay out of it as much...but I did do footwork finding people for 'em to be interviewed.

WM: Okay.

SA: And then one day I get a phone call and Bobby had just gotten off work. He comes to visit my mom, I remember, just a couple days after the murder. Maude Greyhawk calls me and says, "You see um, those investigators and those, and stuff, they didn't even look very good because I just found Kim's diamond necklace," and I go, "Well, how do you know it's Kim's?" and she goes, "'Cause she got...she got it from, for Christmas from Greg," and so, I told Bobby and Bobby says, "You tell her to stay there and then I'll come up and get it".

WM: And where did she say she found it at? Did she tell you?

SA: Down at the bank of the river.

WM: Do you remember that, Bobby?

BA: Uh...

SA: He don't remember.

BA: I-I don't remember no I don't.

SA: I remember it.

BA: If I had to swear to it. I can't, can't remember. It seems...a piece, that I h-had the necklace and I gave it to Carpenter, it seems like, and then that's about all I can say on it.

WM: You don't know what happened to it or what...

BA: No.

WM: ...eh, what came of that?

BA: No.

WM: Or whether it was positively identified?

BA: No. I don't.

WM: Okay.

BA: Uh, Greg Norgard could say, possibly identify it 'cause I, I asked Greg Simms, I said, "Did,"...they wanted to bury it with her and they let... He said, "I told 'em to go ahead". So...she may be wearing it yet.

WM: Richie, do you have any questions or comments?

RM: No, I don't.

WM: Anybody else...anything?

WM: Sissy?

SA: Yes.

WM: Anything?

SA: Uh-uh. (negative) I'm good.

WM: Okay. Um, there may be a, a possibility that we may need to talk to you again.

SA: That's fine.

WM: Is that okay?

SA: Yes, it is.

WM: If we make contact with you?

SA: I'll give you my phone number.

WM: Okay. Um, what is your phone number?

SA: [REDACTED]

WM: I already had it. Okay. Good. Um, the time now is approximately 1230 hours. This will conclude the conversation with Sissy Atkinson and everybody else.