

## STATEMENT SUMMARY

**NAME:** Caleb Gourneau

**Significance to Beach's Clemency Application:** Calvin Lester claims that he saw Caleb Gourneau at the Kim Nees murder scene. J.D. Atkinson, a witness Beach intends to call at his clemency hearing, claims that Sissy Atkinson mentioned to him that Gourneau was present when Kim Nees was killed.

### **Summary of March 22, 2007 Tape Recorded Statement:**

On June 15, 1979, Gourneau recalled that he, his girlfriend Shannon, and Beach were swimming at Sandy Beach. Beach got his vehicle stuck. Beach left Gourneau and Shannon and walked towards town. (4-5.) Gourneau stated that they waited, but Beach never came back so they too walked to town. Gourneau did not see Beach again until the next day. Gourneau walked Shannon to her grandmother's house in Poplar, kissed her goodnight and then headed home because he had a curfew. (5.) Barry Buckles and Nolan Birthmark gave him a ride home. (4-5.) Gourneau lived a mile west of Poplar and his family's home was set about 50 feet south of Highway 2. (6.) On the ride home, Gourneau recalled seeing Kim Nees parked alone in her green pickup truck at the Exxon station. Gourneau estimated that he saw Nees around 10:30 p.m. or 10:45 p.m. (5-6.)

Gourneau estimated that he got home around 11 or 11:30 p.m., and his mother, brother and sister were there. (4, 6.) After he got home, the Gourneaus' dog started barking and it charged towards the highway. (4, 6-7.) Gourneau and his mother went outside to investigate. (4, 7.) There were people who lived on the North side of Highway 2 across from the Gourneaus, but Gourneau could not hear anything coming from that area. (7.)

Gourneau's mother, Mary, heard something on the North side of the highway. (7-8) Mary accompanied Gourneau to his interview with the State, and she described what she had heard coming from the North side of the highway. Mary explained that she heard a loud discussion or group disagreement. (8.) It was not screaming or anything like a fight. (8.) When they went back inside, Mary looked at the television and the show Midnight Special was coming on. Because the show came on at midnight Mary knew the time when she heard the dog barking and the noise. (8-9.)

*Not true -  
brother out  
contested  
prior  
statement*