

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/11/79

R. D. MURRAY, Deputy Sheriff, Roosevelt County, made available a sketch log, rough draft sketch of crime scene, and completed sketch of crime scene of the murder of KIMBERLY ANN NEES;

Investigation on 6/19/79 at Fort Peck Indian Reservation, Poplar, Montana File # BT #198-1145
by SA BRENT W. WARBERG/amg Date dictated 6/21/79

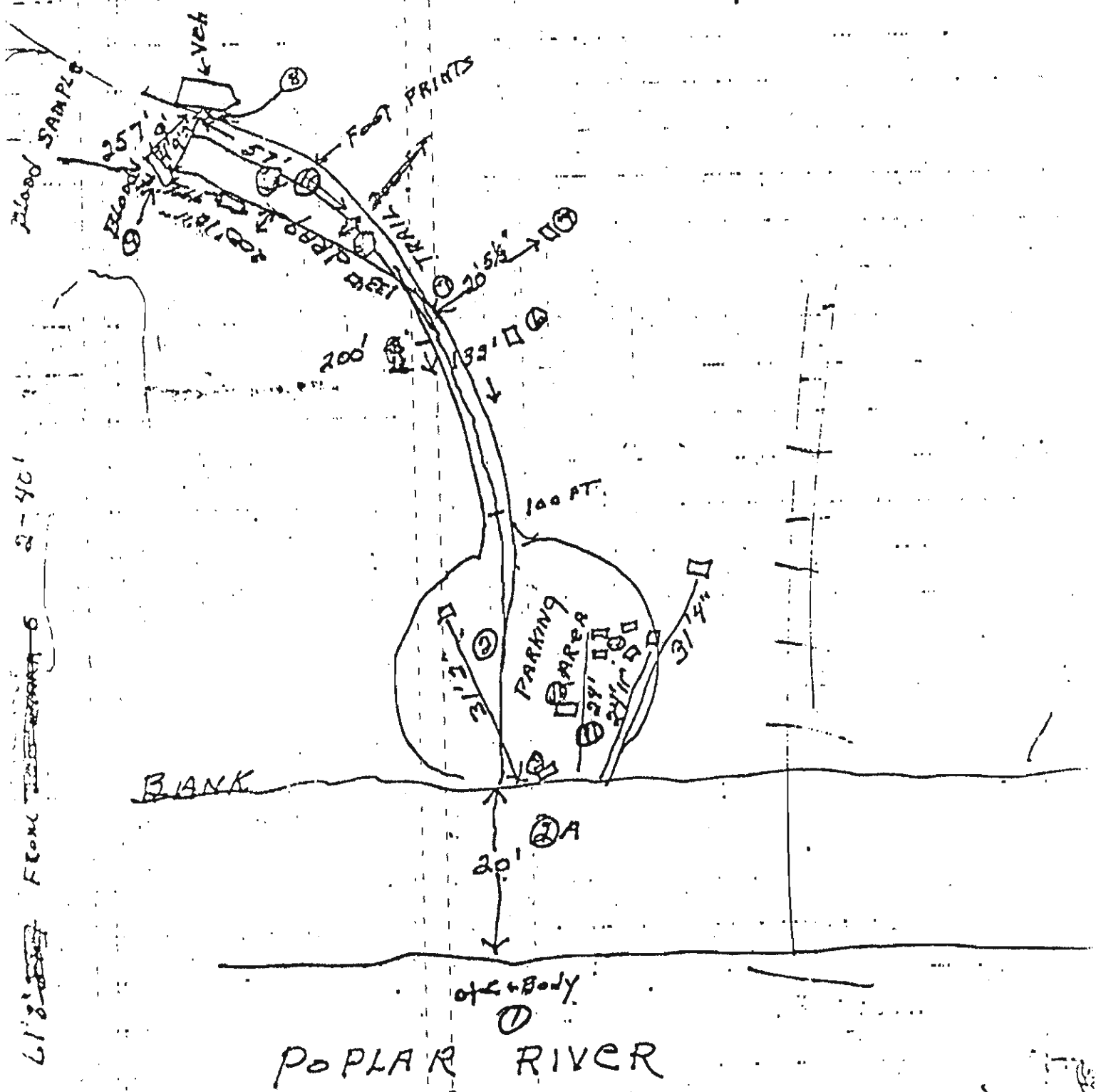
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Sketch Log

- 1- Body IN RIVER
- 2A- RIVER BANK
- 2- DRAG TRAIL 257'
- 3- BEER CAN
- 4- 5 BEER CANS
- 5- BEER PACK - 12 PACK
- 6- 1- FULL CAN OF BEER
- 7- PATCH HAIR
- 8- PURSE + JACKET BY PICKUP
- 9- BLOOD "9'2" WEST OF PICKUP
- 10- FOOT PRINTS ~~BY~~ IN DRAG MARKS 11' $\frac{3}{4}$ "
- 11- URINE (5 SPOTS) SAMPLES TAKEN

by
R.D. [unclear]
6-16-70

BARE FT. PRINTS IN DRAG MARKS.



POPLAR RIVER

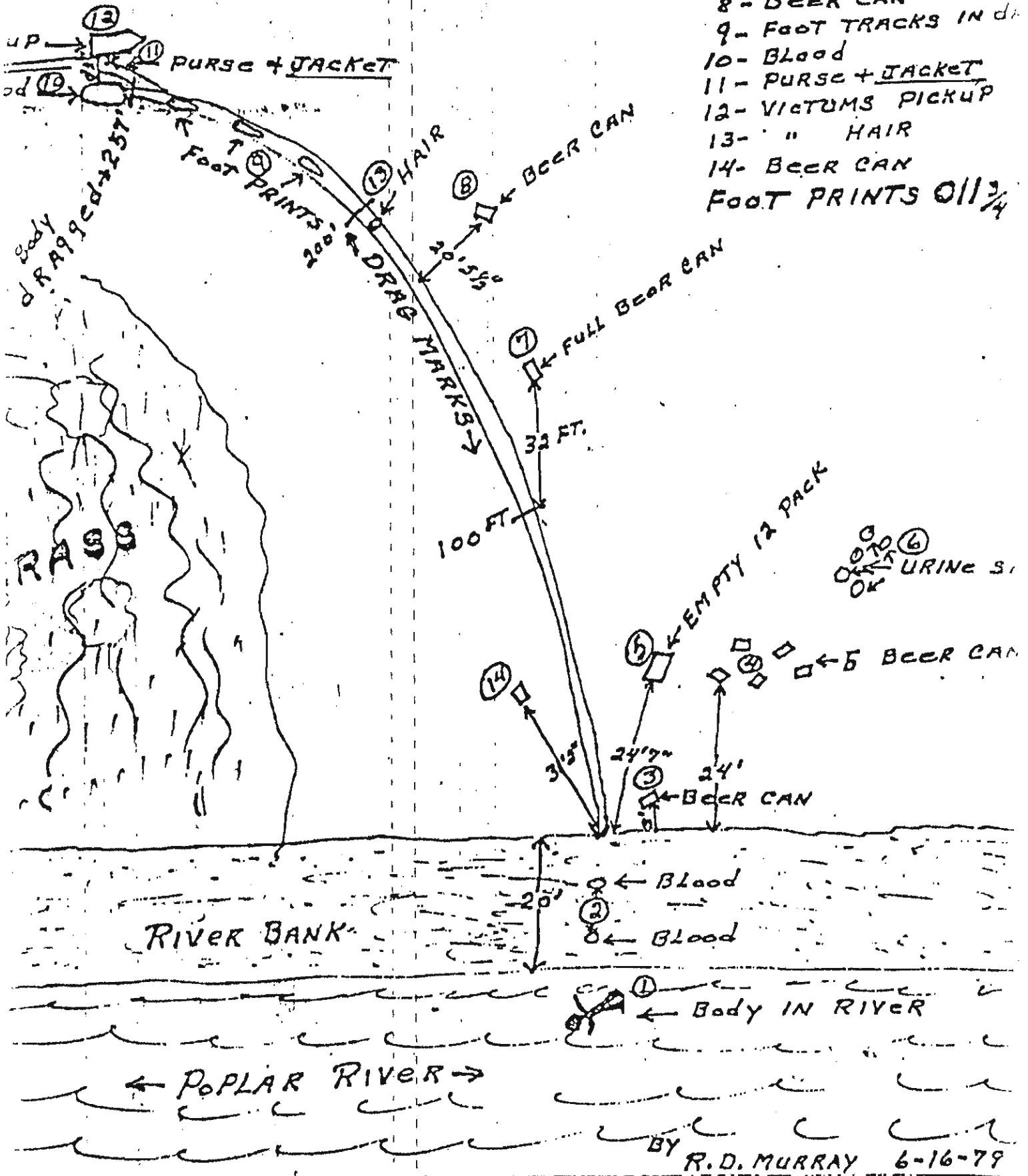
FT. F.

618' FROM [unclear] 2-40''

SKETCH OF SCENE

- # 1 - Body IN RIVER
 - 2 - BLOOD STAINS
 - 3 - BEER CAN
 - 4 - 5 BEER CANS
 - 5 - EMPTY 12 PACK (30)
 - 6 - URINE SPOTS
 - 7 - FULL CAN OF BEER
 - 8 - BEER CAN
 - 9 - FOOT TRACKS IN dirt
 - 10 - BLOOD
 - 11 - PURSE + JACKET
 - 12 - VICTIMS PICKUP
 - 13 - " HAIR
 - 14 - BEER CAN
- FOOT PRINTS 011 3/4

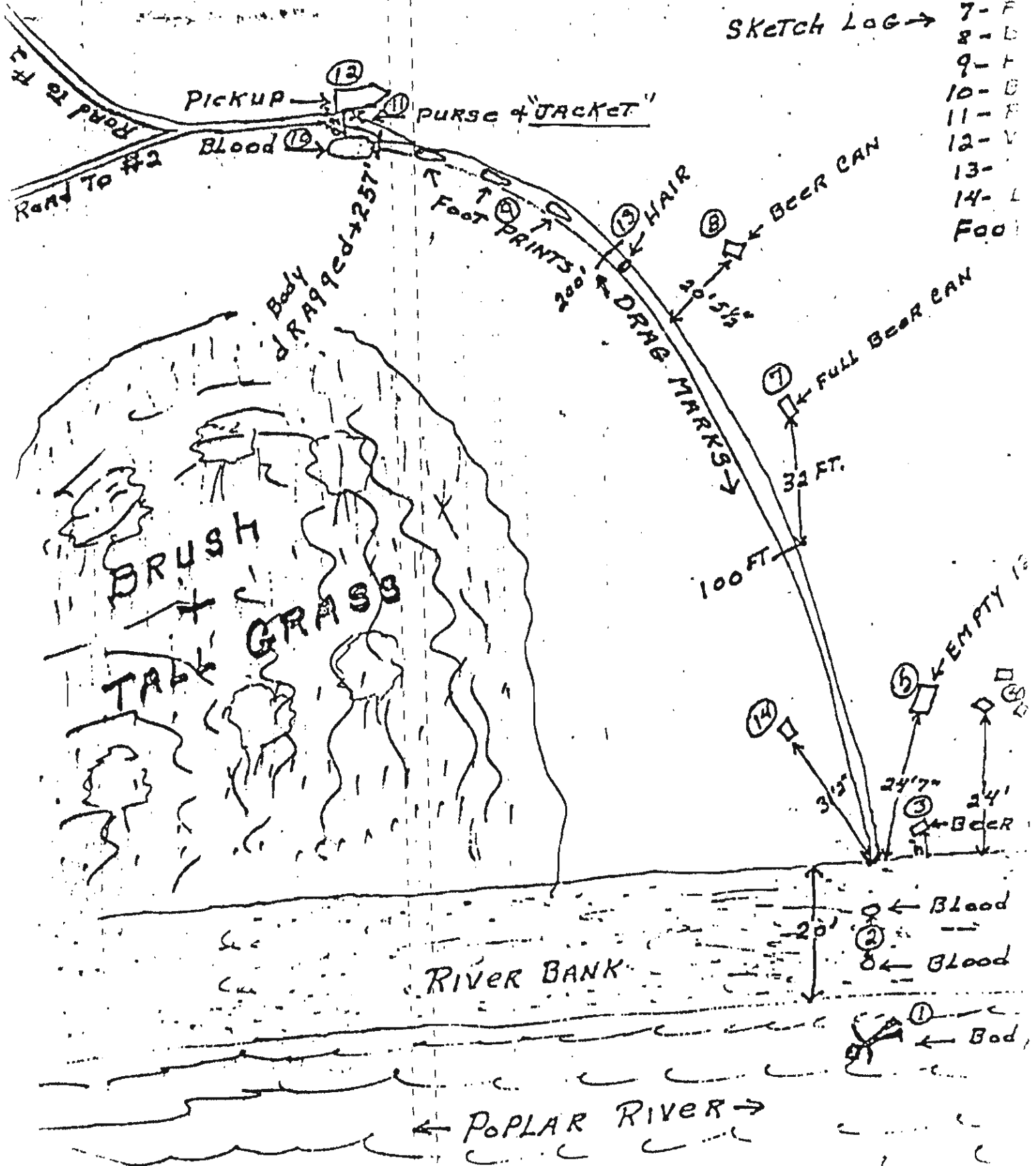
Sketch Log →



JUNE 16, 79 SKETCH OF SCENE

- # 1 -
- 2 -
- 3 -
- 4 -
- 5 -
- 6 -
- 7 - F
- 8 - B
- 9 - F
- 10 - B
- 11 - F
- 12 - V
- 13 -
- 14 - L
- Foot

SKETCH LOG →



CRIMINAL INVESTIGATION B
 SUITE 115 - WILMA BUILDING
 MISSOULA, MONTANA 59801

A-2

DATE RECEIVED: June 19, 1979 HOW DELIVERED: Clay Hopper (in person)

ANALYSIS REQUESTED BY: ROOSEVELT COUNTY SHERIFF OFFICE

DESCRIPTION AND WEIGHT OF ITEM RECEIVED: One cream colored floral pattern towel (with Cannon label) in a large plastic evidence bag with tag... "found it hanging on fence"

LAB I, D. NUMBER: LAB#B005-061979 A,B,C,D,E,F

CASE INVOLVED: Kimberly Ann Ness (victim) Thomas G. Richie (suspect)

ANALYSIS RESULTS:

THE STAINS ON THIS ITEM WERE LOCATED AND DIAGRAMMED BY VISUAL EXAMINATION AND THE RESULTS OF CHEMICAL TESTS. TWO STAINS WERE SAMPLED ORIGINALLY (A & B) AND WHEN FOUND TO DIFFER FROM THE TYPES FOUND IN LAB#B004 (KIMBERLY ANN NESS' BLOOD STANDARD) FOUR MORE STAINS WERE TYPED. ANALYSIS OF THESE STAINS BY THE OUCHTERLONY TECHNIQUE FOR SPECIES IDENTIFICATION, BY THE ABSORPTION-ELUTION AND LATTES CRUST TECHNIQUE FOR ANTIGEN SYSTEM TYPING AND BY ELECTROPHORESIS (BY WRAXFALL'S TECHNIQUE) FOR PROTEIN POLYMORPHISMS WAS POSITIVE FOR:

	Species	ABO	G R O U P I			G R O U P II			G R O U P III	
			PGM	EaD	GLO	Ak	EAP	ADA	Hp	Gc
B005 A	Human (Hb)	*Inc.	2-1	2-1	2-2	1-1	A	1-1	1-1	2-1
B005 B	Human (Hb)	Inc.	2-1	2-1	2-2	1-1	A	1-1	1-1	2-1
B005 C	Human (Hb)	Inc.	2-1 (36)	2-1 (21)	2-2 (2-8)	1-1 (94)	A (37)	1-1 (88)	1-1 (14)	2-1 (42)

Frequency in population shown in parenthesis. Combined frequency in population is about 0.04%

B005 D	Human (Hb)	Inc.	2-1	2-1	2-2	1-1	A	1-1	1-1	Inc.
B005 E	Human (Hb)	Inc.	2-1	2-1	2-2	1-1	A	1-1	1-1	Inc.
B005 F	Human (Hb)	Inc.	2-1	2-1	2-2	1-1	A	1-1	1-1	Inc.

Combined frequency in population is about 0.09%.

For Comparison:
 B0004
 Kimberly Ann Ness

O 2-1 ⊕1-1 ⊕2-1 1-1 ⊕BA 1-1 ⊕2-1 2-1

July 11, 1979

Date

4/2

Kenneth C. Konzak
 CHEMIST Kenneth C. Konzak

⊕types distinctly different from stains

*ABQ A, B & H substance was detected in B005A, A & H in blank materials, weak amylase was detected in the blank and stain C - all stains show the presence of strong anti B (i.e., from a type A or O blood) - for investigative use, my opinion would be the blood is probably type A mixed with sweat or saliva and other body fluids.

THESE RESULTS ARE POSITIVE FOR THE PRESENCE OF HUMAN BLOOD STAINS, ALL THE SAME TYPE AND DISTINCTLY DIFFERENT FROM THAT OF KIMBERLY ANN NEES (B004). THIS TYPE IS PRESENT IN ABOUT 0.09% OR LESS OF THE POPULATION. SINCE THE HAIR EVIDENCE SUGGESTS A POSSIBLE CONNECTION BETWEEN THE TOWEL AND THIS CASE, I WOULD RECOMMEND THAT ANY FURTHER STAINS LOCATED IN THIS CASE BE EXAMINED IN ONE OF THE FOUR SYSTEMS DETECTED WHERE THE STAINS ARE KNOWN TO BE DIFFERENCIABLE - ESPECIALLY THE EAF SYSTEM.

July 11, 1979

Date


Chemist Kenneth C. Konzak

FEDERAL BUREAU OF INVESTIGATION

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Date of transcription 7/10/79

GREG NORGAARD, Poplar, Montana, was advised of the identity of the interviewing Agent. He is aware of the identity of Roosevelt County Sheriff DONALD L. CARPENTER. He furnished the following information:

He has been dating KIMBERLY ANN NEES for approximately one year, and they have been going on a steady basis for the last six months.

On the night of June 15, 1979, he picked KIM up about 8:30 p.m. and they went to the drive-in movie. After the movie they drove around for awhile, then he brought her home, arriving there at approximately 12:00 midnight or 12:30 a.m.

After leaving KIM off, he drove to the LEGION CLUB. He did not walk her up to the door. When they arrived at the NEES home, the NEES' s' 1977 GMC Pickup was parked there at the time. When he let KIM out, she did not mention that she was going any place else, and he thought that she would probably stay at home.

NORGAARD stated that after he picked KIM up that night, she told him that the night before, Thursday, June 14, 1979, she had been out with STEVE SCHAGUNN. She told him that she had gotten in that morning at approximately 4:30 a.m. NORGAARD stated that STEVE dates SUSIE KIRN. He stated that he had seen STEVE and SUSIE riding around Poplar, Montana, when he was with KIM on June 15, 1979.

He stated that KIM and SUSIE were good friends.

Going back to his activities on the night of June 16, 1979, NORGAARD stated that he left the LEGION CLUB at approximately 1:30 a.m. He drove by his home, which is located two houses from the NEES residence and noticed that the NEES pickup was gone. This was at approximately 2:00 a.m. Since the pickup was gone, he assumed that KIM was also gone, so he drove to a pay telephone and called KIM's mother to see if KIM was home. Mrs. NEES replied

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that KIM was not there and asked him to look for her. NORGAARD advised that he drove around for approximately one-half hour, but did not see KIM, so he drove home, arriving there at approximately 2:30 or 3:00 a.m.

During the time that he was driving around looking for KIM he did not see STEVE nor SUSIE.

NORGAARD stated that he did see SUSIE KIRN before he picked KIM up to go to the movie. SUSIE was with another girl, and they wanted GREG to buy them some beer. He purchased one-half case of bottled Bud Weiser for them. At this time, SUSIE and her friend were in SUSIE's blue and white Ford Bronco. At this time he asked her if she had heard about KIM going out with STEVE, and KIRN acted very surprised. At first she did not believe what he was telling her.

NORGAARD stated that actually, on the afternoon, on June 15, 1979, at approximately 5:30 p.m., he was cleaning out his Ford Mustang. KIM drove to her house and got out of her pickup and he called her over to talk to him. She looked extremely tired and he brought this to her attention, and it was at this point that she told him that she had been out with STEVE and had gotten in at 4:30 in the morning.

NORGAARD stated that he had also been out with her on Thursday night. He had been out riding his bicycle when he ran into KIM in her pickup. He put his bicycle in the back bed of the pickup and they rode around until approximately 11:30 p.m. He was tired, so she drove him home.

See C3/conflicts

FEDERAL BUREAU OF INVESTIGATION

Date of transcription (7/10/79)

KATHRYN MOE, Box #1, Poplar, Montana, was advised of the identity of the interviewing Agent and of Deputy Sheriff DENNIS D. BROCKMEYER. She furnished the following information:

During the early morning hours of June 16, 1979, her father woke her up about 1:45 a.m. and stated that she was wanted on the telephone. She inquired who the caller was and he told her "GREG".

She got on the telephone and the caller identified himself as GREG NORGAARD. During the conversation, he mentioned nothing about KIM NEES. He told her that he was calling from a telephone booth near the FORT PECK HOTEL. She could hear a car running in the background and assumed it was NORGAARD's car.

NORGAARD never did say why he had called and their conversation was extremely casual. He told her that he had gotten her telephone number from information and inquired if she had gone to the movie.

NORGAARD has never called her before. During this call he appeared sober and they talked for approximately ten minutes. He did tell her that he had been to the LEGION CLUB and had seen a fight.

MOE continued that at approximately 9:00 p.m. or a little after, but she knows that it was before the movie started, she saw GREG NORGAARD and KIM NEES in NORGAARD's white over maroon Mustang. They were driving through town. She stated that she saw them again after the movie approximately 12:15 a.m., and they were still driving.

She was driving around town and at about 12:45 a.m., she sat KIM in KIM's pickup parked at the EXXON STATION. KIM was alone at the time and was the only one parked there. She was there for approximately ten or fifteen minutes.

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MOE related that when she drove by the LEGION between 12:30 and 1:00 p.m., she observed GREG NORGAARD's car parked there. She saw GREG's car parked at the LEGION before she observed KIM parked at the EXXON STATION.

At about 1:00 a.m., she was traveling west on Highway #2 and she saw KIM's pickup two cars ahead of her. She turned at the schoolbus garage and KIM continued on. The car in the middle also turned. There were a couple of cars in front of KIM, but she did not recognize them nor did she recognize the car immediately in front of her.

When KIM NEES went on, MOE stated that it went through her mind that KIM was going to meet someone.

She related that SUSIE KIRN and KIM NEES are not good friends, but their families are very close. She described SUSIE KIRN as a very jealous individual and stated that SUSIE is better friends with KIM's sister, PAM, than with KIM. SUSIE dates STEVE SCHAGUNN.

SUSIE KIRN and STEVE were together Friday night after 12:00 and she saw them just before 1:00 a.m.

Regarding NORGAARD, she stated that on the outside she did not think that he would let his feelings show, although she does not know what his inner feelings would be. She stated that she does not know if NORGAARD has any extremely close friends.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/10/79

GREG GOURNEAU, Box #774, Poplar, Montana, was apprised of the identity of the interviewing Agent and the nature of the investigation. He furnished the following information:

At approximately 2:00 a.m. on morning of June 16, 1979, he was driving around in his Chevy Van with DARRELL TRUE BLOOD. They were headed west on Highway #2, just riding around. About this time, GREG NORGAARD passed them in his white over red Mustang Convertible. He passed them on the right and took the first turn-off to the right at the bottom of the hill by Poplar High School. They kept traveling west on Highway #2 and saw him no more.

GOURNEAU stated that he believes at approximately 11:00 p.m. on the night of June 15, 1979, he saw KIM NEES driving around in her green pickup. She was alone. He only saw her that one time, as he passed her on Highway #2.

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FEDERAL BUREAU OF INVESTIGATION

(7/12/79)

Date of transcription

STEVEN CARL SCHAGUNN, North Star Route, Poplar, Montana, was advised of the identity of the interviewing Agent and of the identities of Roosevelt County Sheriff ERROL WILSON and Bureau of Indian Affairs Special Officer HOWARD BEMER. He furnished the following information:

He dates SUSIE KIRN and has been dating her for five or six months. He just graduated from high school and his date of birth is August 13, 1961, and he was born in Poplar, Montana.

Earlier in the week, the exact date he is not sure of, he was in Poplar and saw KIM NEES in her pickup parked at the EXXON STATION. It was about 9:30 or 10:00 p.m. She got into his Ford Pickup and they drove around for awhile and talked and drank some Slo Gin and orange juice. He was with her for approximately forty-five minutes to an hour, then took her back to her pickup.

On Friday, June 15, 1979, he arrived in Poplar at approximately 7:00 or 8:00 p.m. He met SUSIE KIRN in town and she got in his pickup with him. He does not remember the time she got in with him, but it was after dark.

In the pickup SUSIE told him that GREG NORGAARD had said that he, STEVE, was with KIM NEES the night before and he had taken her home at 4:30 a.m. She told him that NORGAARD acted like he was mad and told him that NORGAARD had "tore off" in his car.

SCHAGUNN continued that he saw KIM NEES and GREG NORGAARD that night at about 9:00 or a little after in NORGAARD's Mustang. Later they saw KIM NEES parked at the EXXON STATION in her pickup. She was alone and he estimated the time to be around 12:30 or 1:00 a.m. They also observed NORGAARD's car parked at the LEGION CLUB at about 1:00 or 1:30 a.m.

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SCHAGUNN stated that his parents stated that they had seen NORGAARD at the LEGION that night.

He left town at approximately 1:30 a.m., following SUSIE KIRN and went to KIRN's residence. He stayed there until about 2:00, when he went home.

While in Poplar that night at about 11:00 or 11:30 p.m., he went to the baseball field and was sipping beer. They were there approximately fifteen or twenty minutes, when the police shined their light in the vehicle. He stated that he and KIRN were drinking MILLERS Beer.

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Date of transcription 7/12/79

GREG DOUGLAS NORGAARD, Box #235, Poplar, Montana, was interviewed at the Fort Peck Tribal Law Enforcement Office.

NORGAARD was advised of the identity of the interviewing Agent and of Undersheriff DEAN MAHLUM. He was given a warning and waiver of rights form, which he read, stated he understood and signed. The form was also explained to him. He thereafter furnished the following information:

He has dated KIM NEES for at least one year and they have been going steady. Neither have been honest about their relationship, as both have been going out with other individuals.

On Thursday night he was riding his bicycle and saw KIM NEES in her pickup. He saw her at the Poplar High School. She stopped and he put his bike in the back of her pickup. This was at approximately 9:00 p.m. They drove around until about 11:30 p.m., when he told her to take him home, as he was tired, so she did take him to his residence. SEE CB

The next day, June 15, 1979, he saw her at about 3:30 p.m., at her residence. He was outside cleaning his car and she drove up to her house in her family's pickup. He called her over and she walked over to his house and they began talking.

During the conversation, he told her that she looked tired, and she said that she had been up that morning until 4:30 a.m. He asked her why she was up that late and she said that she had been out with STEVE SCHAGUNN. He did not say anything to her, but inside he was quite upset and a little hurt. She said she was going to shower and when it came time for their date for him to call up before he came over, as they were going to the movie.

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He got ready and went downtown and bought a six pack of Millers Beer at the SANTEE STORE. He then went to the EXXON STATION and talked with GARY ZIMMERMAN and DARRELL RANF. He then left and on the way to pick up KIM he saw SUSIE KIRN and a friend of hers. They were in KIRN's Bronco and were parked on block off of Highway #2. NORGAARD was in his Mustang.

He stated that he flagged them down and told SUSIE, "Did you hear who KIM was with last night?" She asked who and NORGAARD told her, "STEVE." She told him not to lie to her, and he told her that this was the truth. He also told her, "I'm pissed a little."

He picked up KIM NEES at approximately 8:30 p.m. and they drove around for awhile and drank a beer or two. He actually had two beers and KIM had one. He stopped and got another six pack, then they went to the drive-in movie, arriving at approximately 9:00 p.m. They waited for some time, about fifteen or twenty minutes, before the movie began. During this time, they talked a little with the conversation being general, just about the day's activities. He never mentioned her going out Thursday night.

When the movie was over at approximately 11:30 p.m., they drove around for about one-half hour, then he took her home and told her that he was going to the LEGION CLUB. She asked if he was mad at her, and he replied, "No."

He stated that he wanted to go to the LEGION CLUB, so he did. She thought he was mad at her, when he said he was going to the LEGION CLUB, and she replied, "All right." He let her out after parking behind her pickup at her house. He did not walk her to the door, as he was still kind of hurt. This was at approximately 12:00 midnight.

NORGAARD stated that he drove directly to the LEGION CLUB and went in and stood at the bar. While he was there he walked to DONNY LOCKMAN, KAREN HOLM, MIKE KIRN and RICHARD HOLMES. In fact, HOLMES got in a fight while he was

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there. He stayed at the LEGION CLUB until about 1:30 p.m., then left alone. His parents were also at the LEGION CLUB and they left at approximately 1:00. His brother, KEN, was at the LEGION CLUB and stayed after he left.

After leaving the LEGION CLUB, he drove around town a few times and had a feeling that KIM would be out. When her folks are gone, she generally goes out, and her folks were at the LEGION CLUB. He drove by KIM's house, about 2:00 a.m., or shortly thereafter, and noticed that KIM's pickup was gone. He drove around some more looking for her, then called her mother between 2:00 a.m. and 2:45 a.m. He called from a pay telephone by the motel in Poplar. When KIM's mother answered, he wanted her to see if KIM was home, as he did not want to drive by the house any more, as his car was too loud.

Mrs. NEES (DIANE) answered the telephone and said that KIM was not home and asked him to look for her. He drove around town, then to the park, then on the Indian highway, but did not see her, so he went home, arriving at approximately 2:45 or 3:00 a.m. He went right in and right to bed.

He still felt that KIM was out driving, although he was not worried, and he did not think that it was necessary to call Mrs. NEES back and tell her he had not found KIM. During this time he was in his Mustang.

The next morning his father woke him up and said DIANE NEES had called and said that KIM had been found dead.

After he first called Mrs. NEES, he did call KATHRYN MOE. He just wanted to talk to her, as he used to date her. He asked her if she wanted to come out and drink some beer. He was a little drunk at the time.

NORGAARD stated that he never did go to the train bridge in the past except to swim. He was out there approximately one week ago shooting a pistol and that has been the only time he has been there this summer.

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He stated that he has never been with either ROBERTA or JOANNE JACKSON and he never put a gun to either of those girls' faces.

Going back to call to KATHRYN MOE, he did ask her to go out and wanted to do this to get even with KIM.

In the past KIM has dated JIM WILKONASS.

NORGAARD stated that he does know that KIM had an abortion some time ago in Glasgow, Montana. He stated that as far as he knows the baby was his.

Several weeks ago he got a letter while he was at school at Northern Montana College in Havre, Montana. This was an anonymous letter saying that KIM went out with TOMMY KIRN. He asked her about it and she admitted riding with KIRN and stated that she used to date KIRN. He stated that during this time, when he received the letter, he was residing with MARK DARRELL, who is from Great Falls, Montana, but is probably staying in Havre, Montana.

Since he was home, he has gotten "pot" from JANICE ADKINSON, purchasing one lid or one ounce for \$50.00. This was about two weeks ago and he gave some of it to KIM, approximately one-half vial each time he bought it, and he has bought it twice. She gave him one of these back.

NORGAARD stated that he did not kill KIM NEES -- nor does he have any idea who did it nor did he have anything to do with it.

The following description of NORGAARD was obtained by observation and interview:

Race	White
Sex	Male
Date of Birth	October 1, 1957
Place of Birth	Poplar, Montana
Height	5'11"
Weight	160#
Hair	Sandy
Eyes	Blue

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Education

Parents

High School
Currently attended Northern
Montana College
Mr. and Mrs. MILTON NORGAARD

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/12/79

DEAN MAHLUM, Undersheriff, Roosevelt County, who is aware of the identity of the interviewing Agent, furnished the following information:

He talked to JOHNNY McCLAMMY. McCLAMMY had a tractor parked in front of his house, and he got up to check it and looked out the window and saw a pickup pull up to the NORGAARD house. He looked at two clocks, one in each room, and one said 3:35 a.m. and the other said 3:45 a.m. He said the pickup had loud mufflers and some sort of rack or bar on the back.

This was as far as he could see, and he saw no individual get in or out of this pickup.

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FEDERAL BUREAU OF INVESTIGATION

Washington, D. C. 20537

B-2



REPORT

of the

LATENT FINGERPRINT SECTION
IDENTIFICATION DIVISION

YOUR FILE NO. 198-1145 (P)
FBI FILE NO.
LATENT CASE NO. B-75246

July 12, 1979

TO: SAC, Butte

RE: UNSUB.?
KIMBERLY ANN NEES - VICTIM.
CIR - MURDER

REFERENCE: Teletype 6/20/79 and specimens processed 6/25-26/79
in Wolf Point, Montana, by Supervisory Fingerprint
Specialist James K. Howell
EXAMINATION REQUESTED BY: Butte

SPECIMENS: One 1977 GMC pickup
Eleven beer cans, and one partial box of Marlboro
100's cigarettes (processed in Roosevelt County
Sheriff's Office, Wolf Point, Montana)
Elimination inked fingerprints and palm prints of
Kim (Kimberly Ann) Nees, Pam Nees, Diane R. Nees,
and Ted Nees
Fingerprints and palm prints of Albert (J.) Kim, Jr.,
Steve (Steven J.) Lodmell, Greg Norgaard, and
Barry Allan Beach

The specimens were examined and thirty-two latent fingerprints and ten latent palm prints of value appeared or were developed, as follows:

Eight fingerprints and two palm prints
outside of passenger's side of 1977
GMC pickup (these appear on five
lifts designated as #1 and #3 through
#7)

(Continued on next page)

SAC, Butte

July 12, 1979

Three fingerprints and six palm prints
outside of driver's side of 1977
GMC pickup (these appear on nine
lifts designated as #1 through #9)
Sixteen fingerprints and one palm print
on inside of 1977 GMC pickup (these
appear on seven lifts designated as
#1 through #10) Two lifts designated
#2, as palm print on one lift, #2
appears to compliment fingerprints
appearing on lift #1 from outside of
door on passenger's side of vehicle
One palm print in red-brown substance on
outside of door, passenger's side
Five fingerprints from four Schlitz beer
cans (these appear on four lifts
designated as #1, #4, #6, and #10)

← No designation
number? //

Four latent fingerprints and six latent palm prints
were identified as elimination fingerprints and palm prints,
as follows:

Two palm prints on lift #7, from outside
passenger's side; behind door on panel
under tool chest, identical left palm
print of Kim Nees

One fingerprint on lift #1, from outside
driver's side below window, identical
right middle fingerprint Pam Nees

One fingerprint on lift #3, from outside
driver's side above door handle near
glass, identical left middle finger-
print Kim Nees

One fingerprint on lift #4, from outside
driver's side above door handle near
glass, identical right little finger-
print Pam Nees

One palm print on lift #6, from outside
driver's side panel around glass,
identical right palm print Pam Nees

One palm print on lift #7, from outside
driver's side behind door below tool
chest, identical left palm print Kim
Nees

(Continued on next page)

SAC, Butte

July 12, 1979

One palm print on lift #8, from outside
driver's side on panel below bar,
identical right palm print Pam Nees
One palm print on lift #9, from outside
driver's side panel below glass,
identical left palm print Kim Nees
One fingerprint on lift #1, from glove
compartment, identical right ring
fingerprint Kim Nees

The remaining latent fingerprints are not identical with the listed inked fingerprints. The remaining latent palm prints were compared with the listed inked palm prints, but no additional identifications were effected. Conclusive comparisons of these latent palm prints could not be conducted, as some areas are not completely legible or fully recorded.

The inked fingerprints and palm prints are being retained temporarily pending receipt of additional specimens in this case. The lifts obtained from the listed specimens, as well as a 4 x 5 Grafmatic film holder, are being returned under separate cover. The Grafmatic film holder is the property of the Roosevelt County Sheriff's Office, Wolf Point, Montana, and should be returned to Sheriff Carpenter.

#5 + #10 went
unidentified.
whos?

#5 was on both sides of P.H.

#10 was inside the cab + also
on Schlitz Beer can.

REPORT
of the

A-10



FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To: SAC, Butte (198-1145)

October 15, 1979

FBI FILE NO.

LAB. NO. 90717081 S RO
90829028 S RO QQ

Re:

UNSUB:
KIMBERLY ANN NEES -
VICTIM
CIR - MURDER (A)

Specimens received

August 27, 1979, from FBI, Butte, under
cover of letter dated August 20, 1979
(90829028 S RO QQ):

- Q1 Unknown substance from outside right door (#1)
- Q2 Unknown substance from middle of front seat with hair-like material (#2)
- Q3 Envelope with stain from seat (#3)
- Q4 Hair-like material from driver's side (#4)
- Q5 Piece of fabric from right side of seat (#5)
- Q6 Envelope with stain from floor on driver's side (#6)
- Q7 Hair-like material taken from middle back of seat (#8)
- Q8 Unknown substance from carpet (#9)
- Q9 Piece of interior molding from above right door (#10)
- Q10 Hair-like material removed from ceiling of cab (#11)
- Q11 Piece of fabric from passenger's side (#12)
- Q12 Piece of vinyl from lower right side of seat (#14)

(over)

- Q13 Unknown substance from right rear quarter panel (#15)
- Q14 Piece of carpet (#17)
- Q15 Swabbing of unknown substance taken from area near right door handle, outside (#18)
- Q16 Piece of metal taken from floor of truck (#13)

ALSO SUBMITTED;

Contents of ashtray (#7)

Specimen recieved July 17, 1979, from the Criminal Investigation Laboratory, Department of Justice, Missoula, Montana, under cover of letter dated July 11, 1979 (90717081 S RO):

K1 Blood sample from victim

Result of examination:

The K1 blood sample was determined to have originated from an individual of blood group "O." Group "O" human blood was identified in specimen Q2, and on specimens Q6 and Q8. Grouping tests conducted on the human blood identified on specimens Q3, Q5, Q9, Q11, Q12 and Q14 were inconclusive. Human blood, insufficient in quantity for grouping purposes, was identified in specimens Q1 and Q13. Blood, which could not be further characterized, was identified on specimens Q15 and Q16.

One or more head hairs exhibiting Caucasian characteristics were found in each of specimens Q2, Q4, Q7 and Q10. Two dark brown head hairs which exhibit poorly defined racial characteristics and an indication of forcible removal were found one each in Q4 and Q7. All these hairs are suitable for significant microscopic comparison with any adequate head hair sample of known origin.

These were found NEG for match to hair samples of Barry Beach.

start and tell me.

Well, he, Mike was, we were at the show this summer, and I was

Oh, this summer?

Yeah.

This wasn't recently?

Uh huh and I didn't want to say nothing then just because I was told not to and I was scared.

Mike told you not to?

Yeah. And well we were sitting out at the show and he came up and just started talking to us.

This is at the Drive-in?

Yeah. And he said that, and then he started bawling around and started telling us about it. He said a whole bunch of stuff how she was getting beat up, how she tried to get away and how she was begging people to help her. I guess there was a couple of them out there and nobody would help her.

Who was doing the beating?

Um, Sissy Atkinson and a RedDog, Terra or something.

Mike was there?

Yeah, that's what he said.

How long after Kim's death did he, did this happen at the theater?

When did we get back from vacation? Three weeks after it? It happened right after, 3 weeks after it.

And you told no one until you told ah Collin, Susie Collin? Kim? Cowan?

Oh huh.

That's the first that you told anybody, huh?

Oh huh.

When did Mike swear you to secrecy that night or the next day?

The next day.

Did he?

Yeah.

Did he come to see you?

No, I seen him at Tastee.

What did he say?

Just told me "you had better not say anything"

- what?

he didn't say or what, he just said just better not say anything.

Were you afraid of Mike?

Yeah. Cuz he's got kind of a bad reputation.

Does he?

Yeah.

Can you go through the scenario that he was telling you that night when he was crying at the car? Tell us how it went just as best as you can remember?

What do you mean? Just tell you....

Just what did he say, what sequence?

Well he just, he said, you know, he, she came down there and everybody you know was fine until Sissy. I guess Sissy came down there or something and she was at that _____ and at first that Terra just stayed in the car and then she got out and I guess Mike said that Terra started screaming around at Kim and then then Terra just was holding her and then Sissy started hitting her and then what Mike said that Sissy had a hammer or something and kept hitting her.

Susy did the hitting?

Sissy.

Sissy Atkinson, yeah,

Yeah. And she I guess that Terra was holding her down or something and that when they went and she went to try to get away and they grabbed her and then she was begging everybody to help her but you know nobody would help her. He said that her hair was just caked with blood or something that's what she kept saying and he goes she was just bloody. And then he just said that everybody just goes he goes finally she just kind of passed out and then everybody started leaving.

Mike didn't see what happened to her after that then, he left huh?

I guess, that's what he said.

Didn't see anybody drag her down and throw her in the river?

He didn't say.

Okay you said she was begging for help and nobody would help her, who all was there do you know? Did Mike mention who was there besides himself, Terra and Sissy?

lo.

He didn't elaborate on who else?

Just didn't say he just you know he just kept saying we.

You've never talked to Mike about this since the following day he came to you at the Tastee Freeze?

I haven't talked to him since then.

~~And the first that you've mentioned it to anybody was to Susy Collin~~ the other night? She stayed over at your house?

I stayed overnight with her and she told me that she knew you and she thought that I should say something.

Okay, I guess that's about it.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/31/79

On July 19, 1979, Roosevelt County Deputy Sheriff, KEITH SCHENIMAN, a qualified scuba diver, searched the waters of the Poplar River in the area where the body of KIMBERLY ANN NEES was found. He did find a claw hammer lying on the bottom of the river approximately 30 feet from the area where the body was found.

On July 24, 1979, this hammer was shown to Dr. JOHN PFAFF, Jr., M.D., the pathologist who examined the body of KIMBERLY ANN NEES. This was done in Great Falls, Montana. Dr. PFAFF stated the hammer was not the instrument used to kill KIMBERLY ANN NEES.

Dr. Pfaff also said at first that a lug wrench could not have been the weapon but changed his mind later.

Investigation on 7/25/79 at Glasgow, Montana File # BT #198-1145

by SA BRENT W. WARBERG/cen Date dictated 7/25/79

FEDERAL BUREAU OF INVESTIGATION

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Date of transcription 9/4/79

HOWARD BEMER, Special Officer, U. S. Bureau of Indian Affairs, who is aware of the identity of the interviewing Agent and the nature of the investigation, furnished the following information:

He had information that STANLEY LONG TREE had made some mention that he, LONG TREE, knew an individual, who had allegedly observed the murder of KIM NEES. BEMER contacted LONG TREE and LONG TREE identified this person as MIKE LONG TREE, a cousin of STANLEY LONG TREE.

BEMER continued that he contacted MIKE LONG TREE and MIKE LONG TREE denied any knowledge of the death of KIM NEES and denied ever seeing the incident or having any information whatsoever regarding the incident. BEMER stated that LONG TREE did state that the death of KIM NEES was not his problem and, therefore, he was not concerned with it.

BEMER stated that he has a "gut feeling" that MIKE LONG TREE may have some information and, therefore, he will continue to pursue this matter.

Interviewed on 8/21/79 at Poplar, Montana File # BT #198-1145
 by SA BRENT W. WARBERG/imw Date dictated 8/24/79