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1 VONNIE BROWN, WITNESS, SWORN
2 DIRECT EXAMINATION
3 BY MR. CAMIEL:
4 **Q. Ma'am, could you tell us your full name and**
5 **spell your last name for us?**
6 A. Vonnie Rae Brown, B-R-O-W-N.
7 **Q. Where do you live now?**
8 A. Grand Forks, North Dakota.
9 **Q. So you drove all the way out here from there?**
10 A. Yes, I did.
11 **Q. Let me ask you: Do you have family there in**
12 **North Dakota?**
13 A. I reside with my daughter and grandkids.
14 **Q. And are you employed?**
15 A. Pardon?
16 **Q. Are you employed?**
17 A. No, I'm on disability right now.
18 **Q. Did you, did you used to live in Poplar?**
19 A. Yes, I did.
20 **Q. What years did you live in Poplar?**
21 A. I would -- I was born and raised there.
22 **Q. And so you lived there until when?**
23 A. Until I turned 18.
24 **Q. Which is what year?**
25 A. '82 - '83.

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1 **Q. '82?**
2 A. '83.
3 **Q. So were you living there in 1979, the year**
4 **that Kim Nees was murdered?**
5 A. Yes, I was.
6 **Q. How old were you at that time?**
7 A. Sixteen.
8 **Q. Are you acquainted with Sissy Atkinson?**
9 A. Yes, I am.
10 **Q. How do you know her?**
11 A. I kind of grew up with her.
12 **Q. Did you live near each other?**
13 A. No.
14 **Q. But did you hang around together as teenagers**
15 **and as kids?**
16 A. Well, yeah, I've hung out with her.
17 **Q. And were you friends with her?**
18 A. Yes, I was.
19 **Q. Are you still friends with her, or has that --**
20 A. No.
21 **Q. Is there something that led to a break in your**
22 **friendship?**
23 A. Yeah. She wrote a statement on me, on my
24 behalf, and that incarcerated me.
25 **Q. I'm sorry, that what?**

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1 A. And I was incarcerated for it.
2 **Q. Okay.**
3 A. And she also stole money from me.
4 **Q. So because of those problems, the two of you**
5 **are no longer friends?**
6 A. Well, we weren't really close after I moved
7 away.
8 **Q. Did there come a time in -- where you visited**
9 **Sissy when she was living -- Sissy Atkinson when she was**
10 **living in Great Falls?**
11 A. Yes, I did.
12 **Q. How did that come about?**
13 **Do you remember when that was, first of all?**
14 A. I think it was in June.
15 **Q. Of what year?**
16 A. '04.
17 **Q. 2004?**
18 A. (Nodding head affirmatively.)
19 **Q. And what prompted your visit with her in Great**
20 **Falls?**
21 A. I have taken my cousin's wife's baby -- the
22 mother to the baby, up to -- they flew the baby out to
23 Great Falls and she didn't have a ride, so I took her up,
24 took her up there to be with her baby.
25 **Q. Okay. That was for some medical care?**

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1 A. Yes, it was.
2 **Q. And while you were there in Great Falls, did**
3 **you visit with Sissy Atkinson?**
4 A. Yes, I did.
5 **Q. Where did you visit with her?**
6 A. At her home.
7 **Q. Do you remember where her home was at the**
8 **time?**
9 A. I think it was on 10th Avenue.
10 **Q. An apartment?**
11 A. Yes, an apartment.
12 **Q. When you went over to visit with her, what**
13 **happened?**
14 A. She was using at the time.
15 **Q. While you were there?**
16 A. Yes.
17 **Q. What was she using?**
18 A. I don't know what kind of pills she was
19 shooting up, but she was shooting some kind of pill up. I
20 don't know if it was morphine or Oxys or whatever she was
21 taking.
22 **Q. Okay. And so then what happened?**
23 A. We got to be sitting around talking. And she
24 asked me about when I got out of prison. So I kind of
25 told her I sat in Shelby with Barry -- or, no, I sat in

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1 Shelby for about a year and a half. And then the subject
 2 came up with Barry.
 3 And she then said, "Oh, that's too bad Barry's
 4 sitting there for nothing."
 5 And I said, "Oh, why is that?"
 6 And she tells me that, "Well, I know about the Kim
 7 Nees murder. I know who did it. Do you want to know?"
 8 So I said, "Sure."
 9 So she -- we were sitting there, and we got into a
 10 conversation about it. And so I had -- just when -- she
 11 asked me if I'd really like to know, so I said, "Yes."
 12 So she proceeded to tell me that her and Maude
 13 Grayhawk had something to do with it. And she goes on to
 14 talking about Ed Van Dover, which is a friend of mine,
 15 too. But after a minute, she paused and she changed the
 16 subject after that.
 17 **Q. Well, let me back you up for just a minute and**
 18 **ask you how the subject came up again. You said that you**
 19 **had done time at the prison in Shelby?**
 20 A. Yeah. She asked me when I got out, out of the
 21 prison.
 22 **Q. And how did Barry Beach's name come up?**
 23 A. I don't know, she asked me about Barry --
 24 **Q. Did she ask --**
 25 A. -- if Barry was doing time there. And I said,

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1 "Yes. I did, I did time with him there."
 2 **Q. So she brought him up --**
 3 A. Yeah.
 4 **Q. -- and wanted to know whether he was there**
 5 **doing time?**
 6 A. Still there doing time, yeah.
 7 **Q. And when you said "yes", her response was?**
 8 A. She said, "That's too bad Barry's sitting
 9 there for nothing."
 10 **Q. And you indicated you asked what she meant by**
 11 **that?**
 12 A. Yeah.
 13 **Q. And what did she say?**
 14 A. She then said I -- about the Barry Beach -- or
 15 Kimberly Nees murder. That was brought up.
 16 **Q. She brought up the Kim Nees murder?**
 17 A. Yes. And that's what she said, that she knew
 18 who did it. So I asked her who.
 19 **Q. And when she -- after you asked her who, do**
 20 **you remember exactly, the best you can, the words she used**
 21 **when she responded to you?**
 22 A. That she knew who did it.
 23 **Q. Did she say who was involved?**
 24 A. Yeah. She said her and Maude had something to
 25 do with it.

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1 **Q. Did she say, "We had something to do with it,"**
 2 **or did she describe what they did?**
 3 A. Yeah, kicking and pulling her hair, pulling at
 4 her hair.
 5 **Q. That's what she said --**
 6 A. She said she was doing, yeah.
 7 **Q. Kicking and pulling whose hair?**
 8 A. Pulling Kim Nees's hair.
 9 **Q. And did she indicate whether anyone else was**
 10 **involved?**
 11 A. She started to talk about Ed Van Dover, and
 12 then the subject quit after that. She changed the subject
 13 to a different subject.
 14 **Q. Now, you indicated she was using at the time.**
 15 **Was she actually using drugs that day that you saw her?**
 16 A. Yes, I did see her. We were talking about it
 17 while she was doing it.
 18 **Q. So she was using drugs while you were talking**
 19 **to her?**
 20 A. Oh, yeah.
 21 **Q. Were you using drugs at that time?**
 22 A. No.
 23 **Q. Have you used drugs before?**
 24 A. Oh, yeah.
 25 **Q. But you were not using any drugs that day?**

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1 A. No.
 2 **Q. Was anyone else present at the -- at Sissy**
 3 **Atkinson's apartment when you had this conversation with**
 4 **her?**
 5 A. Her boyfriend, Les Wright.
 6 **Q. And where was he when the two of you were**
 7 **talking about the Kim Nees murder?**
 8 A. He was right there.
 9 **Q. Was he also using drugs?**
 10 A. Oh, yes.
 11 **Q. Do you remember -- do you recall what time of**
 12 **day it was that the two of you were talking?**
 13 A. Probably in the afternoon.
 14 **Q. When she stopped talking about it and you said**
 15 **she tried to change the subject, did you make any further**
 16 **inquiry or try and prompt --**
 17 A. No, I didn't. I just told her that she was
 18 lying, that I didn't believe her.
 19 **Q. So even though she told you she was involved,**
 20 **you --**
 21 A. I didn't believe her, what she said. But it
 22 just stopped after that. There was nothing else said
 23 after that.
 24 **Q. Okay. Have you visited Sissy in Great Falls**
 25 **more than once?**

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1 A. Yes, I did.
 2 **Q. Have you ever seen her brother J.D. there when**
 3 **you visited her?**
 4 A. Yes, I did.
 5 **Q. Do you know Barry Beach?**
 6 A. A little. I used to date his younger brother.
 7 **Q. His brother, Brad?**
 8 A. Yes.
 9 **Q. Have you talked to his family members about**
 10 **coming forward?**
 11 A. Well, no, I never had no contact or nothing.
 12 **Q. Have you ever talked to his mother about**
 13 **coming forward and giving a statement?**
 14 A. No; no, I haven't.
 15 **Q. How was it that you are now here today giving**
 16 **a statement? How was it that we got ahold of you?**
 17 A. Well, Richard Holen was talking about it. I
 18 talked to him a few times about it, and he wanted me to
 19 come forward and to give my statement. I didn't want to.
 20 I was scared at first. I didn't want to say anything.
 21 But I thought about it. I know how Barry feels, you know,
 22 doing time, and he's doing it for nothing.
 23 **Q. Why were you scared?**
 24 A. I didn't want all this publicity and be in all
 25 this. I didn't want to have part of it. But I came

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1 forward because I think it's the right thing to do.
 2 **Q. Did you think that the information you had**
 3 **from your conversation with Sissy was important?**
 4 A. Well, yes, it was.
 5 **Q. When you told Sissy Atkinson that you didn't**
 6 **believe her, why did you say that?**
 7 A. Because I didn't -- you know, I was just
 8 thinking that she was high on pills, she was talking
 9 crazy.
 10 **Q. Are you clear in your own mind what she**
 11 **said --**
 12 A. Oh, yes.
 13 **Q. -- when you talked to her?**
 14 A. Yes.
 15 **Q. Any confusion in your mind?**
 16 A. No.
 17 MR. CAMIEL: Thank you.
 18 CROSS-EXAMINATION
 19 BY MR. WELLENSTEIN:
 20 **Q. Ms. Brown, my name is Mike Wellenstein.**
 21 **You've stated that Sissy relayed some -- talked to**
 22 **you about the Beach homicide --**
 23 A. Hm-hmm.
 24 **Q. -- or the Nees homicide in -- in 2004, was it?**
 25 A. I think it was 2004.

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1 **Q. Okay. And you said that you thought this**
 2 **information was important.**
 3 A. Yes.
 4 **Q. But you never told anyone in law enforcement**
 5 **about it, did you?**
 6 A. No, I didn't.
 7 **Q. And you first told Centurion Ministries about**
 8 **it?**
 9 A. Yes, I did.
 10 **Q. That's the first time it was out, okay.**
 11 **And you said you and Sissy don't get along because**
 12 **Sissy had you thrown in jail; is that right?**
 13 A. Yeah. She also took money from me.
 14 **Q. She took money from you?**
 15 A. Stole it, she stole money.
 16 **Q. So you kind of have a grudge against her?**
 17 A. Well, I don't have a grudge against her.
 18 **Q. But you don't like her.**
 19 A. I just wouldn't be her friend again --
 20 **Q. You wouldn't be --**
 21 A. -- because she stole --
 22 **Q. You wouldn't be her friend again?**
 23 A. No.
 24 **Q. Okay. Did you ever take any clothes or**
 25 **anything from Sissy?**

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1 A. Well, her daughter gave me some of her
 2 boyfriend's clothes to take back for him. Yes, I did take
 3 clothes.
 4 **Q. You took, you took clothes?**
 5 A. His clothes.
 6 **Q. His clothes.**
 7 A. Yes.
 8 **Q. And it's your interpretation that they were**
 9 **given to you?**
 10 A. They were given to me by her daughter.
 11 **Q. Okay. And you said, you said that Sissy was**
 12 **using drugs in your presence --**
 13 A. Hm-hmm.
 14 **Q. -- when she relayed some information.**
 15 A. Yes.
 16 **Q. And you weren't using drugs that day? Is**
 17 **that --**
 18 A. No.
 19 **Q. -- what I heard?**
 20 **Were you using drugs before or after that?**
 21 A. Well, I used them in the past, just like --
 22 **Q. Did you use any shortly before or --**
 23 A. No.
 24 **Q. -- at any time after?**
 25 **So your memory is not clouded by any --**

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1 A. No.

2 **Q. You haven't used drugs, okay. And Richard**

3 **Holen was the person who told you to contact Centurion**

4 **Ministries; is that right?**

5 A. Yeah.

6 **Q. Okay. Did you ever have a conversation with**

7 **Joanne Jackson about you were going to get back at Sissy**

8 **Atkinson?**

9 A. No, I never talked to Joanne.

10 **Q. You never, never, never told Joanne --**

11 A. There was never a conversation.

12 **Q. Never a conversation?**

13 A. No.

14 MR. WELLENSTEIN: Okay.

15 MR. CURTISS: I'm Vance Curtiss. There's just

16 a couple questions I'd like to ask you.

17 When did you give this statement to Centurion

18 Ministries?

19 THE WITNESS: I think in February.

20 MR. CURTISS: You gave them a statement?

21 THE WITNESS: February or March.

22 MR. CURTISS: Okay. Of this year?

23 THE WITNESS: Yes, I did.

24 MR. CURTISS: Okay. And when you were you --

25 when Sissy was contacting you and she was using drugs at

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1 that time, when was that about? Do you remember how far

2 back that was?

3 THE WITNESS: I think it was in June. I think

4 it -- June was -- or '04.

5 MR. CURTISS: What I'm wondering is: Why all

6 of a sudden in 2007 when all of this information is

7 available and there was a lapse of time here -- what I'm

8 wondering is: Why is it now that you've come forth with

9 this rather than when she told you?

10 THE WITNESS: Because I was being

11 incarcerated.

12 MR. CURTISS: Pardon?

13 THE WITNESS: I was incarcerated.

14 MR. CURTISS: Oh, you were incarcerated.

15 THE WITNESS: Hm-hmm.

16 MR. CURTISS: And also for the drugs that you

17 mentioned, or --

18 THE WITNESS: No.

19 MR. CURTISS: Okay. But what -- do you

20 believe, do you believe that she has a problem - kind of

21 her self-esteem, and has to be important, and that type of

22 thing - that she would say this just to make an important

23 point to you?

24 I just am wondering what her character is with

25 -- she's coming, she's telling you these things. What's

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1 the reason she's telling you these things, in your

2 judgment?

3 THE WITNESS: Maybe she wants help. I don't

4 know.

5 MR. CURTISS: (Do you believe her?)

6 THE WITNESS: At first I didn't believe her,

7 but I believe it now.

8 MR. CURTISS: And why?

9 THE WITNESS: Because what she tells me -- I

10 believe she had some kind of involvement in it, in the

11 case.

12 MR. CURTISS: That's all I have, Madame Chair.

13 CHAIRWOMAN O'CONNOR: You may be excused.

14 THE WITNESS: All right, thank you.

15 CHAIRWOMAN O'CONNOR: We're going to take

16 another 10-minute break. This will be our last break of

17 the day. But we'll reconvene at eight minutes after four.

18 (A brief recess was taken.)

19 CHAIRWOMAN O'CONNOR: You may call your next

20 witness.

21 MR. CAMIEL: They don't have Mr. Beach here

22 yet.

23 CHAIRWOMAN O'CONNOR: He should be here at

24 eight-after, which it is. When I say "eight-after", I

25 mean "eight-after".