

CONFIDENTIAL



LEGAL INVESTIGATION BUREAU

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TAPE RECORDED STATEMENT OF BARRY ALLAN BEACH

- Q. My name is Craig Christie. I am a Private Investigator with Legal Investigation Bureau in Billings, Montana.
- Q. I am present here with inmate Barry Beach, who is serving a one hundred (100) year sentence for Deliberate Homicide. Also present in the room is Miss Sandy Williams, who is also a Private Investigator with Legal Investigation Bureau. The time is 11:04 a.m. on the 28th day of May, 1987.
- Q. Barry, for the record, could you please state your full name and spell your last name please.
- A. Barry Allan Beach, B E A C H.
- Q. And how old are you?
- A. I'm 25.
- Q. And what is your current address?
- A. Montana State Prison, 700 Conley Lake Rd., Deer Lodge, Montana.
- Q. And how long have you resided here?
- A. Three years and twelve days, seventeen days.
- Q. Gary, er, correction, Barry, are you aware that this conversation is being tape recorded?
- A. Yes I am.
- Q. Do you have any objections to that?
- A. No I don't.
- Q. Are you giving this statement of your own free will, and voluntary without the use of threats, duress, coercion or promises?
- A. Yes, this is a voluntary statement.

Q. Are you under the influence of any alcohol or drugs at this time?

A. No I'm not.

Q. OK Barry, I'd like to direct your attention to June 15th or 16th, 1979. Um, in the early morning hours of June 16th, Kimberly Ann Nees was murdered in Roosevelt County near Poplar, Montana. Are you aware of that incident?

A. Yes I am.

Q. And isn't it true that you're, in fact, doing a hundred-year sentence for the conviction of that incident?

A. Yes I am.

Q. Do you have any first-hand knowledge or, um, observations with regard to that particular incident with regard to possible suspects involved other than yourself?

A. Yes I do.

Q. Could you in your own words explain to me what that knowledge is?

A. Several days after Kim was killed, I was riding around with JoAnn Jackson and Caleb Gorneau. And as we were riding around I noticed that JoAnn Jackson passed a necklace to Caleb. I asked them what it was for; they told me that it was a friendship necklace at that time. Shortly after that, I noticed that JoAnn was also passing a key chain to Caleb, and I asked him what that was about. JoAnn told me at that time that it was from a girl that she had gotten in a fight with on Friday night and started describing the fight and how the girl was scratching her and this and that. And also showed me a bald spot on the right cranium of her head, about the size of a fifty-cent piece where the girl had pulled some hair out of her head. And said that it was during the fight. And, uh, I didn't really think much about it then, you know but later it snapped to me what she was talking about

Q. OK, could you describe the necklace for me a little bit?

A. It was just a gold, small gold chain with a stone on the end of it that was held on it by a gold clasp.

Q. Was the necklace intact or was it broken?

A. I didn't notice whether it was intact or broken; I just noticed it as it passed from one hand to another.

- Q. OK, could you describe the key chain for me?
- A. It was a beaded key chain, approximately four inches long, four or five inches long and, uh, it had a large steel ring on it. I don't remember the colors of it or anything, you know.
- Q. And who finally ended up with possession of the key chain?
- A. Caleb did.
- Q. Have you ever seen that key chain before?
- A. No.
- Q. Have you ever seen it since?
- A. No I haven't.
- Q. Wasn't it said at one time during the course of the original investigation of this and your subsequent trial, did you at one time admit that you, in fact, threw the keys into the river?
- A. Yes I did.
- Q. Was that a true statement?
- A. No.
- Q. Can you tell me why that you made that statement?
- A. No I can't, not to an accurate point I can't.
- Q. But you did not, in fact, throw any keys into the river?
- A. No I didn't.
- Q. And particularly that set of keys?
- A. No.
- Q. But you have on that occasion seen those keys?
- A. Yes I have.
- Q. And they were last in possession of Caleb Gorneau?
- A. Correct.

Q. And he received those keys from JoAnn Jackson?

A. Yes.

Q. OK, could you describe any other injuries that you may or may not have noticed on JoAnn Jackson that day?

A. I'm not positive but about this, but I think she had a scratch on her arm and her cheek also.

Q. Did she go into any details with regard to why the fight occurred or how it occurred?

A. No, the only details that she went into was she told me that the girl had grabbed a handful of hair and wrapped her hand around her hair and threw her down. And that's how she pulled the hair out of her head.

Q. Did she say where this incident took place?

A. No she didn't.

Q. And sometime later you figured out that the time...

A. Fit into the death of Kim.

Q. Is there anything else you have personal knowledge about this homicide.

A. No, not directly. The only other knowledge I have was given to me by Pam, approximately six months later.

Q. Could you go on to that in a little bit of detail?

A. Ah, Pam told me...

Q. You're speaking of?

A. Pam Nees, Kim Nees' sister. She told me the fact that there was a tire iron and a crescent wrench missing from her dad's pickup that they couldn't figure out about the crime. She also told me that there is a lot of information that the police were withholding from the family and everybody else, but she wasn't sure what it was, you know; and that she was curious about it. She told me that there was a lot of bloody hair, blood and fingerprints found at the scene of the crime. But that they didn't know who they belonged to. And other than that, just general conversation about how she was feeling about the death of her sister and the crime itself.

- Q. Has Pam Nees ever corresponded with you in writing while you were an inmate at the Montana State Prison?
- A. Yes. In 1984 shortly after I got here she sent me a letter asking if she could come see me; informing me that she had heard that other people committed the crime but that I was there or involved and wanting to know why I didn't tell on the other people.
- Q. Do we, between you and I and your attorney, do we have a copy of that letter?
- A. Yes, we do.
- Q. Ah, is that the last time she corresponded with you?
- A. Yes, that was the last time I heard from her.
- Q. Were you at the crime scene on the early morning hours of June 16, 1979?
- A. No, I wasn't.
- Q. When did you first learn about the crime?
- A. I first learned about the crime the following afternoon when my sister came out to the branding party that I was at, out at my grandparents' house and told me that she had been murdered.
- Q. And you maintain your innocence over the past several years with regard to this particular incident?
- A. I have always maintained an innocence even dating back as far as 1980, when I was first questioned by Dean Mahlum and Don Carpenter.
- Q. Has there found to have been numerous discrepancies in the confession that you allegedly made in 1983?
- A. Yes, it was in January of 1983 and there are many, many discrepancies. In fact things that are proven on paper, that are supposed to be there aren't even there.
- Q. And are you in the process, along with your attorney, of challenging that confession then?
- A. Yes we are.
- Q. Is there anything else that you would like to say right now with regard to your innocence or personal first-hand knowledge that you have with regard to the other suspects in this case?

A. Just that, uh, I am an innocent man, I've always been innocent. And that I know, given a chance, that they would kill again. That JoAnn, Sissy and Roberta would kill again. And I, I'm often fearful to do things in my case in fighting against my case because I don't want anybody else to get hurt. And I know that they have on numerous occasions beat up people who have information. There were three witnesses who were going to testify at my trial, who came up dead prior to my trial; Big Solomon Grey Bear, John Red Thunder and Junior Owens. There's other people that I know of who've been placed in the hospital by these various girls, being JoAnn Jackson, Roberta Jackson and Sissy Atkinson. And others that I know of have been beat up very severely. And uh...

Q. Is there another death with some similarities to the Kimberly Nee's death?

A. Yes there is. A death that was shortly after Kim's, um by a lady by the name of Celest Shields was murdered and the M.O. was very, very similar to this death. In fact most of the traits of that death are identical to Kim's death.

Q. Did Celest Shields have any contact or connection with these three individuals that you mentioned?

A. Not to my knowledge. I don't have any, awareness that she did.

Q. Is there any thing else that you'd like to say?

A. I just hope that the truth will be known some day.

Q. OK, ah, Barry if you have nothing else to say, Sandy do you have any thing at this time?

A. Not today.

Q. If you have nothing else to say, that will conclude the interview. The time now is 11:15 a.m. on the 28th day of May, 1987.