

1 MS. PLUBELL: Thank you.  
2 CHAIRWOMAN O'CONNOR: Are you finished?  
3 You may be excused. Thank you for your  
4 testimony.  
5 You may call your next witness.  
6 MR. CAMIEL: Thank you.  
7 MR. MAHLUM: Madame Chair, being excused, can  
8 I now stay and listen to the rest of the testimony here?  
9 CHAIRWOMAN O'CONNOR: Yes.  
10 MR. MAHLUM: Thank you.  
11 CHAIRWOMAN O'CONNOR: Please be seated.  
12 CARL EDWIN FOUR STAR, WITNESS, SWORN  
13 CHAIRWOMAN O'CONNOR: You may proceed.  
14 MR. CAMIEL: Thank you.  
15 DIRECT EXAMINATION  
16 BY MR. CAMIEL:  
17 **Q. Can you tell us your full name and spell your**  
18 **last name, please?**  
19 A. It's Carl Edwin Four Star, Jr. My last name  
20 is spelled F-O-U-R S-T-A-R.  
21 **Q. Mr. Four Star, where do you live?**  
22 A. I live in Wolf Point, Montana.  
23 **Q. How long have you lived there?**  
24 A. Since 1976, but I -- there were a few years  
25 that I went away to go to college.

1 **Q. Okay. Were you living there in 1979?**  
2 A. Yes.  
3 **Q. And in the early '80s?**  
4 A. Yes.  
5 **Q. What do you do for a living?**  
6 A. I'm a computer professional. I'm an  
7 independent contractor. So right now, I'm between jobs.  
8 **Q. Okay. Do you know Sissy Atkinson?**  
9 A. Yeah, I know who she is.  
10 **Q. And how long have you known her?**  
11 A. I got to know who she was when I was working  
12 at A & S. And that's -- I've known her since then, about  
13 1984 or '85.  
14 **Q. Okay. When you met -- what years did you work**  
15 **at A & S?**  
16 A. I started working there in 1983, and I worked  
17 there for two years; and then I went to Eastern Montana  
18 College, which is now MSU - Billings, and I went there for  
19 one quarter; and I went back to work at A & S, and I  
20 worked until '87, 1987.  
21 **Q. Were you -- so you were in Montana and working**  
22 **at A & S around the time of Barry Beach's trial?**  
23 A. Yes, I was.  
24 **Q. Do you know Barry?**  
25 A. No.



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1 **Q. Have you ever been friends with him, or --**  
 2 A. No, sir.  
 3 **Q. -- lived near him or done anything with him?**  
 4 A. No.  
 5 **Q. Do you know the Beach family?**  
 6 A. No, I don't.  
 7 **Q. When you worked at A & S, was there a time**  
 8 **where you worked in the same general area as Sissy**  
 9 **Atkinson?**  
 10 A. Yes, there was.  
 11 **Q. During that time period, what type of work**  
 12 **were you doing? What were your duties at work?**  
 13 A. I was what was called a "hex cutter". I cut  
 14 bales of raw netting into hexagonal -- hexagon shapes.  
 15 **Q. And what kind of work was Sissy Atkinson doing**  
 16 **at the time?**  
 17 A. She worked on an edge cord. They called it  
 18 "edge cord".  
 19 **Q. And about how far away from your workstation**  
 20 **did she work?**  
 21 A. Oh, about 20 feet, 20 - 25 feet.  
 22 **Q. Are you also familiar with a man named Stubby**  
 23 **Balbinot?**  
 24 A. William? Yes.  
 25 **Q. Yes. And who is he?**

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1 A. He's my stepfather's nephew.  
 2 **Q. Did he also work at --**  
 3 A. That's --  
 4 **Q. Did he also work at A & S?**  
 5 A. Yes, he did. He worked on the edge cord along  
 6 with Sissy.  
 7 **Q. So he worked in the same work area as her?**  
 8 A. Yes.  
 9 **Q. Did they work side by side?**  
 10 A. Yeah.  
 11 **Q. The facility at A & S, how big a building is**  
 12 **it that you worked in?**  
 13 A. It was a, it was a pretty big Quonset. I  
 14 couldn't give you an exact estimate of square footage. It  
 15 was, it was at least 80 feet long, because that's how long  
 16 the edge cord was, the full hex edge cord. It was just a  
 17 typical Quonset.  
 18 **Q. How many people would -- for example, on your**  
 19 **shift when you're working, how many people are in the**  
 20 **building that you're working in, approximately?**  
 21 A. Approximately 30 --  
 22 **Q. Is this an --**  
 23 A. -- I would say.  
 24 **Q. Is it constantly extremely noisy in this**  
 25 **building?**

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1 A. No; not in the building I was at, no.  
 2 **Q. Are there parts of the building that are**  
 3 **noisier than other parts?**  
 4 A. Yes. A & S Industries has -- it's like  
 5 several different Quonsets put together. And in the front  
 6 where you came in, there was a -- that's where they made  
 7 medical chests and food containers for the military. And  
 8 there was a lot of machine punching iron and hard tin,  
 9 excuse me. So it got to be pretty noisy up there. But  
 10 back where I was, it was quiet.  
 11 **Q. Were there, were there big fans in the**  
 12 **building because of the odor?**  
 13 A. They eventually did put some in, but there  
 14 wasn't any at that time. What we did for the odor was  
 15 just opened the back door.  
 16 **Q. It was a big back door?**  
 17 A. Yeah, it was like a garage door.  
 18 **Q. When you worked there, did you wear earplugs**  
 19 **or earmuffs?**  
 20 A. No. I didn't have to. It wasn't very noisy  
 21 where I was at.  
 22 **Q. Sometime after Barry Beach's trial was over,**  
 23 **did you have an occasion where you overheard a**  
 24 **conversation between Sissy Atkinson and a William**  
 25 **Balbinot?**

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1 A. Yes. I heard -- well, William was reading the  
 2 newspaper, and he said, "This is a shame what happened  
 3 here."  
 4 He was referring not necessarily to the Barry Beach  
 5 trial, but to the whole incident in general, the death of  
 6 Ms. Nees and so forth.  
 7 **Q. You heard him say that?**  
 8 A. Yes.  
 9 **Q. Who did he say it to?**  
 10 A. He said that to Sissy Atkinson.  
 11 **Q. Where were you when he said that?**  
 12 A. I was standing about 20 feet from him at my  
 13 workstation.  
 14 **Q. You were listening in on their conversation?**  
 15 A. Well, I wasn't listening in, but it was so  
 16 quiet back there that you could hear a pin drop,  
 17 basically. And I heard them talking. I mean I wasn't  
 18 purposely eavesdropping, but I did hear their  
 19 conversation.  
 20 **Q. Did you hear any response by Sissy Atkinson?**  
 21 A. Yes, I did.  
 22 **Q. What did she say?**  
 23 A. She said that they got the wrong man, that  
 24 Mr. Beach didn't have anything to do with it.  
 25 **Q. Did she say anything else?**

19 (Pages 523 to 526)



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1 A. Yeah. She said that herself, Rose, and a  
2 person by the name of Maude were there, responsible for  
3 it.

4 **Q. Do you know -- when she said "Maude", did you**  
5 **know who she was talking about?**

6 A. No.

7 **Q. Do you know Maude Grayhawk?**

8 A. No.

9 **Q. When she indicated "Rose", did you know who**  
10 **she was talking about?**

11 A. No, I didn't.

12 **Q. Okay. When she said this, who did she say**  
13 **this to?**

14 A. She said it to William Balbinot.

15 **Q. Okay. And after she said that, what happened?**

16 A. Well, I kind of stood there in disbelief. And  
17 I did pay attention to what she was saying after that.  
18 And she just went on to say what had happened, and she  
19 made some motions as to what, what she was doing. For  
20 example, she had her hand out, and she was bending over  
21 hitting the air, making a motion like she was hitting  
22 something -- (gesturing.) And, you know, the conversation  
23 went on for a little bit.

24 And then as -- when it got over, she was walking by  
25 me, and (she looked right at me) and she said, "We got away

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1 with the perfect crime, a capital crime."

2 **Q. She said that to you?**

3 A. Yeah. And I told her just to stay away from  
4 me.

5 **Q. In fact, you used some profanity.**

6 A. Yes, I did. I don't think it's appropriate  
7 that I use that in here.

8 **Q. Okay. After she told you that, what did you**  
9 **do?**

10 A. I just, I didn't know what to do. I mean it  
11 made me -- it was weird.

12 **Q. Now, let me ask you this: In terms of your**  
13 **knowledge of Sissy Atkinson, are the two of you friends or**  
14 **acquaintances, or do you just know each other?**

15 A. I just -- we just know each other.

16 **Q. Have you ever had any conflict with her or any**  
17 **bad blood with her?**

18 A. No; no, I don't have any. I've never had any  
19 contact with her, any personal relations with her -- or I  
20 mean not "personal" personal relations, but I've never had  
21 any reason to -- I tried to stay away from her.

22 **Q. After she said this?**

23 A. Yeah, I did stay away from her.

24 **Q. Okay. Did you take the information and**  
25 **contact the police department or any police officers?**

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1 A. I thought about it, but I didn't know what to  
2 do because I didn't feel that the tribal police, the BIA  
3 police were -- I felt that they were kind of corrupt and  
4 that it wouldn't do any good.

5 **Q. Well, how about going to the county sheriff or**  
6 **to the FBI? Did you think about going to one of those law**  
7 **enforcement agencies?**

8 A. It may have crossed my mind, but it's -- being  
9 a tribal member on the reservation, I just thought that  
10 the branch of law enforcement that I would have to go to  
11 would be the tribal police.

12 **Q. You didn't have confidence in them?**

13 A. No. I still don't at times.

14 **Q. Did you tell anybody about what you heard?**

15 A. It ate away at me for awhile. And I went and  
16 confided in my a priest, a Catholic priest at the Catholic  
17 church in Wolf Point.

18 **Q. Which church is that?**

19 A. It's the Immaculate Conception.

20 **Q. Who's the priest that you confided in?**

21 A. His name was Father Jim.

22 **Q. What did you tell him?**

23 A. I just, I told him what I had overheard. I  
24 told him that I had overheard somebody say that they took  
25 a part in this murder and that Mr. Beach was not

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1 responsible for it and that I didn't know what to do about  
2 it and that it was bothering me. And I asked him what I  
3 should do.

4 I said, "I don't really have any confidence in the  
5 police, with the tribal police, so I don't know what to  
6 do."

7 **Q. Okay. And what was the response that you got?**

8 A. Well, I did mention that it was -- concerned  
9 Kim Nees's murder.

10 And he said, "Well, there's been a conviction in  
11 that, right?"

12 And I said, "Well, yes, but this other person says  
13 that he wasn't responsible for it, Mr. Beach wasn't  
14 responsible."

15 And he said, "Well, just all you can do is pray  
16 about it, and things will work out in the end, they'll  
17 come to pass."

18 **Q. Now, at some point, did you end up meeting**  
19 **with somebody from -- one of the investigators from**  
20 **Centurion Ministries?**

21 A. Yes, I did.

22 **Q. How did that come about?**

23 **And first let me ask you if you remember when that**  
24 **was.**

25 A. It was in about 2000 - 2001.



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1 **Q. Okay. And how did that come about?**

2 A. Mr. Richard Hepburn came to my mother's house  
3 - I was back in college - and he was looking for William  
4 Balbinot. My mother's name is Dorothy Balbinot. Her  
5 husband is Robert Balbinot, Stubby's uncle. And I guess  
6 Richard looked up "Balbinot" in the phonebook and seen  
7 Robert and Dorothy, so he called my mother, and they came  
8 up and visited.

9 **Q. Now, was he -- he was coming to see -- to try  
10 to find Mr. Balbinot --**

11 A. Yes, William Balbinot. He was trying to find  
12 William Balbinot, and that's why he came to try to talk to  
13 Dorothy, my mom, to see where he was.

14 **Q. At that point when he shows up at the house,  
15 does he know anything about you, or --**

16 A. No, he didn't know anything about me. I just  
17 happened to come up, and Mom explained what he was doing  
18 and why he was trying to find Stubby. And at that moment,  
19 I just kind of felt: Well, finally, I can let somebody  
20 know about it and get this off of my chest.

21 So I told him what I had overheard.

22 **Q. And at that time in -- during that first  
23 meeting, did he have you sign a statement at all?**

24 A. I don't recall. I don't think so. He asked  
25 me if, if need be, if I would be willing to repeat what I

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1 overheard. And I said "yes", I would.

2 **Q. Now, were you fearful at all about coming  
3 forward?**

4 A. Yeah. That's one of the reasons I -- that's  
5 also one of the reasons I didn't go to the police.

6 **Q. What were you fearful of?**

7 A. Retribution from anybody.

8 **Q. What made you think that coming forward with  
9 information about this homicide could lead to retribution?**

10 A. Well, on the reservation, there's a lot of  
11 unsolved murders, and there has been -- there had been for  
12 quite awhile. There were quite a bit of -- quite a few  
13 unsolved murders that were taking place at that time, in  
14 the early '80s - mid '80s. I was just worried that  
15 somebody would come and look for me or some other member  
16 of my family.

17 **Q. In February 2007, you did sign a statement,  
18 didn't you?**

19 A. Yeah.

20 **Q. And you've agreed to come forward. Are you  
21 still fearful about retribution?**

22 A. I'm still kind of nervous about it, yes.

23 **Q. Then why did you come forward?**

24 A. Why did I come forward? Because I was asked  
25 to; and I feel that, you know, what am I going to do if

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1 God asks me why I didn't come forward. Not that I'm a  
2 very religious person, but this has just been something  
3 that's bothered me over the years, and --

4 **Q. Did you feel badly about not coming forward  
5 earlier?**

6 A. Yeah; yeah, I do -- I have. But, you know, I  
7 didn't know what to do about it. I mean I was just a  
8 young kid at the time.

9 **Q. You've carried this around for a lot of years?**

10 A. Yes.

11 MR. CAMIEL: That's all I have.

12 CROSS-EXAMINATION

13 BY MS. PLUBELL:

14 **Q. Now, Mr. Four Star, you and I met once  
15 already, didn't we? Do you remember that?**

16 I'm Tammy Plubell from the attorneys general's  
17 office.

18 A. Yes, I believe we met --

19 **Q. Mike Wellenstein and I were --**

20 A. -- in Wolf Point at the sheriff's office.

21 **Q. -- were up in -- I can't remember if that was  
22 in Poplar, or --**

23 A. It was in Wolf Point at the sheriff's office.

24 **Q. And you came in, and we took a tape-recorded  
25 statement.**

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1 A. Yes.

2 **Q. Okay. Now, you knew after -- you shared all  
3 the information that you had with Centurion Ministries,  
4 didn't you?**

5 **You knew what they were doing, and you wanted to  
6 share with them what you had overheard, correct?**

7 A. Well, you know, I had a few years to think  
8 about it. And then when they contacted me again in 2006,  
9 I decided that, yeah, I would come forward.

10 **Q. You would come forward. And so you put what  
11 you knew or they typed what you knew in the statement that  
12 you gave in February of 2007, correct?**

13 A. Yes. There was a recording, I believe, that  
14 was made, and they typed up a --

15 **Q. Do you have your statement with you today?**

16 A. No, ma'am, I don't.

17 **Q. Would you like to be able to look at it?**

18 A. Sure.

19 **Q. But everything that was important for you to  
20 tell, you told it in this statement, didn't you?**

21 **That was the whole purpose of coming clean and  
22 giving the information, correct?**

23 A. Yeah, I gave the information. I'm not sure  
24 that I gave all of the information that -- but that's what  
25 I wanted to do, yes.



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1 MS. PLUBELL: May I provide the witness a  
2 copy?

3 CHAIRWOMAN O'CONNOR: We have this  
4 information, right? I mean you --

5 MR. CAMIEL: It's an exhibit, yes.

6 Q. (By Ms. Plubell) And in that statement, what  
7 you told -- what you said, what you declared, and what you  
8 provided to Centurion Ministries is that (quoted as read):

9 "Stubby said to Sissy, 'It's a shame what  
10 happened to Barry,' or 'It's bad what happened to Barry.'

11 "Sissy responded, 'They got the wrong man.'

12 "She also said, 'I was there.'

13 "And she mentioned that Maude, Rose, and  
14 another girl whose name I don't recall were also there.  
15 She also said, 'It was a perfect crime. We got away with  
16 murder.'"

17 Correct?

18 A. (Nodding head affirmatively.)

19 Q. Now, in your statement, you were very clear  
20 that this conversation occurred right after Barry Beach  
21 was convicted in 1984, right? And that's why they were  
22 talking about it's bad what happened to Barry Beach,  
23 correct?

24 I'm just asking you what you said in your statement,  
25 Mr. Four Star.

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1 A. Yeah, but I don't think it was in '84 that  
2 this conversation took place.

3 Q. You don't think it was in '84 anymore, do you?  
4 That's what you put in your statement, but now you  
5 don't think it was 1984, do you?

6 A. Well, it was a long time ago. All I know is  
7 it was warm out, and it was either in late '84 or early  
8 '85.

9 Q. And part of the reason you're not sure if it  
10 was in 1984 is because during the course of that  
11 interview, you told us there was someone right by you,  
12 didn't you?

13 You said you were working with someone, that that  
14 was --

15 A. Yes, yes.

16 Q. -- your partner.

17 A. Yes.

18 Q. And you told us that was Hoss Red Eagle,  
19 didn't you?

20 A. Yes, ma'am.

21 Q. And you're aware now that we went and  
22 interviewed Hoss Red Eagle, aren't you?

23 A. Yes.

24 Q. And we also got his employment records, didn't  
25 we?

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1 A. I don't know if you did or not.

2 Q. Well, would it surprise you that Hoss Red  
3 Eagle didn't start working at A & S Industries until 1985?

4 A. Well -- (pause.)

5 Q. Does that have anything to do with why you  
6 can't remember that it was in 1984 now?

7 A. No, it doesn't.

8 Q. Do you remember me asking you to be real clear  
9 about that in your statement, and I said, "I want to make  
10 sure that I understand the timing of this"?

11 A. Well, I don't recall if you asked me that.

12 The other fellow that was talking to me was getting a  
13 little upset with me at the time, so --

14 Q. And in the statement that you gave to us, you  
15 added a lot more detail, didn't you?

16 You indicated -- you gave lots of detail about --  
17 now, well, for one thing, in your statement -- today when  
18 you testified, you were talking about the motions that  
19 Sissy Atkinson was doing. That's nowhere in your  
20 statement that you gave to Centurion Ministries, is it?

21 A. I guess, no, it's not.

22 Q. And you also indicated in your statement that  
23 one thing that really struck you as odd was that they had  
24 made -- that (quoted as read):

25 "She said, Sissy said they had made sure they

Page 538 *How would he know this?*

1 folded her clothes or a jacket and set it aside. She did  
2 go into some detail about that."

3 Right?

4 A. Yeah, she did.

5 Q. Well, that's what you told us when we  
6 interviewed you, correct? But that's not in your  
7 statement to Centurion Ministries, is it?

8 A. Well, no, it's not. But I mean I --

9 Q. Well, you --

10 A. -- I don't think that this was clear when I  
11 talked to them because I -- when Stubby -- it says here  
12 that (quoted as read): "It's a shame what happened to  
13 Barry."

14 You know, that's not what William said. I think  
15 there was a misunderstanding. Stubby said, "It's a  
16 shame," and he meant the murder.

17 Q. So this statement that was drafted for you has  
18 some inaccuracies? Is that what you're saying?

19 A. No, I'm not saying that. I'm just saying that  
20 this one particular statement, I don't think that they  
21 understood me when they wrote it down.

22 Q. I see. Did they understand you when you said  
23 it was the spring of 1984?

24 A. I would -- yeah. I, I, I --

25 Q. And you also indicated in your tape-recorded



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1 statement to us that (quoted as read):

2 "They said they were at the park. And they  
3 drug her out of the truck, and they started pushing her  
4 around and hitting her. And things got carried away. And  
5 they took turns hitting her and kicking her."

6 You didn't say any of those things in this statement  
7 to Centurion Ministries, did you?

8 A. No, I didn't.

9 Q. So there was a lot of details that you left  
10 out of your statement, weren't there?

11 A. I guess there was.

12 Q. Even though you, even though you felt terrible  
13 about this for years, correct?

14 And you wanted to get it off of your chest for once  
15 and for all, correct?

16 And you wanted to be helpful to Centurion  
17 Ministries --

18 CHAIRWOMAN O'CONNOR: Well, let's at least,  
19 let's at least let him answer a question here.

20 THE WITNESS: Yeah, I don't -- you're asking  
21 me a bunch of different questions. Now, which one would  
22 you like me to --

23 Q. (By Ms. Plubell) All right.

24 A. -- answer, specifically?

25 Q. I apologize for that, Mr. Four Star.

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1 A. I mean I feel like --

2 Q. You, you wanted --

3 A. -- you're --

4 Q. You wanted to --

5 A. -- harassing me.

6 Q. Well, maybe I am. You wanted to help  
7 Centurion Ministries, didn't you, because you felt bad  
8 about carrying --

9 A. Yes, ma'am.

10 Q. -- this around?

11 A. Yes, ma'am.

12 Q. Is that accurate?

13 A. Yes, ma'am, that's accurate.

14 Q. And so --

15 A. Now, you asked me a question about the dates.  
16 That happened a long time ago. And, you know, all I can  
17 remember is that it was warm out and it was just before  
18 the time that my daughter was born.

19 Q. Why didn't, why didn't that appear in your  
20 statement to Centurion Ministries as that is what you  
21 remembered, then?

22 A. I guess we didn't go into much detail about  
23 it.

24 MS. PLUBELL: I have no further questions.

25 ///

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## REDIRECT EXAMINATION

2 BY MR. CAMIEL:

3 Q. Mr. Four Star, you mentioned that when you  
4 went to the interview at the sheriff's office with the  
5 representatives of the attorney general's office that  
6 there was a fellow getting upset with you.

7 A. Yes, there was.

8 Q. Was he one of the investigators working with  
9 the attorney general's?

10 A. Well, he was at the interview that I went to  
11 at the sheriff's office. I don't know who he was working  
12 with.

13 Q. Was he one of the people questioning you?

14 A. Yeah.

15 Q. Did you feel like he was trying to get you to  
16 change your story?

17 A. Yes. I felt like he was upset that I was even  
18 saying that there might be a possibility that some -- you  
19 know, somebody else might be responsible for the death.

20 Q. In what ways did, did he appear to be getting  
21 upset with you?

22 A. His voice got louder.

23 Q. Okay.

24 A. He stood up.

25 Q. You were sitting down. And at one point --

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1 A. Yeah.

2 Q. -- he stood up?

3 A. Yeah.

4 Q. Did he stand over you?

5 A. Well, not over me, but he stood up and did  
6 something, and he said a few other things. And at that  
7 point, I'm not sure what her name is - (gesturing) - but  
8 she stepped in and kind of calmed things down.

9 Q. Okay. Did you feel as if somebody was trying  
10 to intimidate you?

11 A. Yeah, I did. I kind of feel that way now.

12 Q. The written statement that you've been  
13 questioned about is, is about a page and a half long; is  
14 that right?

15 A. Yes, sir.

16 Q. The interview with the attorney general, the  
17 transcript of that interview runs over 30 pages?

18 They spent a lot of time with you, didn't they?

19 A. Yeah, they did, I guess. I don't see how it  
20 got to be 30 pages, but, yeah, they did. They spent -- I  
21 was there for awhile.

22 Q. The details that you told them about were  
23 things you remember either seeing or hearing at A & S  
24 Industries; isn't that right?

25 A. Yes, it is.

23 (Pages 539 to 542)



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1 **Q. The statements that you told them about are**  
2 **things you remember that Sissy said?**

3 A. Yes.

4 **Q. And was it -- let me ask you this: Was it so**  
5 **loud that you couldn't hear what she was saying?**

6 A. It was quiet back there. I could hear -- it's  
7 like I'm sitting here and I can hear you. That's how it  
8 was back there. There was no machine nearby. There was  
9 nothing but netting back there.

10 **Q. Okay. Is there any chance that, in your mind,**  
11 **that you misinterpreted what she, what Sissy Atkinson**  
12 **said?**

13 A. No, sir, I don't believe there's a chance of  
14 that; no.

15 **Q. Any chance that you misinterpreted her hand**  
16 **motions that she made -- (interrupted by coughing.)**

17 A. I'm sorry, I didn't hear what you --

18 **Q. Do you think there's any possibility that you**  
19 **misinterpreted the motions that you saw her making?**

20 A. No, sir.

21 **Q. Did you do your best today to tell the truth?**

22 A. Yes, sir, I'm telling the truth --

23 MR. CAMIEL: Thank you.

24 THE WITNESS: -- to my -- the best of my  
25 knowledge.

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1 RE-CROSS-EXAMINATION

2 BY MS. PLUBELL:

3 **Q. Mr. Four Star, prior to the -- or on the**  
4 **tape-recorded statement -- you're aware that the statement**  
5 **was recorded, right, because Mr. McKay told you that,**  
6 **correct?**

7 **Do you not remember that today?**

8 A. I believe, yes, he said that it was being  
9 recorded.

10 **Q. And he also told you that if you didn't want**  
11 **to talk, you didn't have to, correct? Do you remember**  
12 **that?**

13 A. Yes, I do.

14 **Q. And that he would appreciate you talking with**  
15 **us, but you weren't obligated to do so, correct?**

16 A. That's correct.

17 **Q. And at the end of your statement when you felt**  
18 **very threatened and intimidated, you indicated to us that**  
19 **you understood we were just doing our jobs and why we were**  
20 **there, correct?**

21 A. That's true.

22 **Q. And you said (quoted as read): "I don't have**  
23 **any questions for you," correct?**

24 A. Correct.

25 **Q. And the tape has been submitted to the Board,**

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1 **so the tape can -- the Board can listen to that and hear**  
2 **Mr. McKay yelling?**

3 A. He didn't yell. I said he raised his voice a  
4 little bit and I felt intimidated by him. And I did. And  
5 to be honest, I sat there as a courtesy because you told  
6 me that I did not have the answer any questions, but --  
7 and I felt like not answering any more after your  
8 associate got a little aggressive, but I stayed there as a  
9 courtesy because I don't have anything to hide.

10 **Q. Right. So that, that will be reflected on the**  
11 **tape, correct?**

12 A. I would assume. I don't think that the tape's  
13 going to reflect him getting up, or anything.

14 **Q. And there was someone else present for that**  
15 **interview, wasn't there? Richie McDonald was there,**  
16 **wasn't he?**

17 A. Yes, he was.

18 **Q. So Richie McDonald will be able to verify**  
19 **those things, too, correct?**

20 A. I would assume.

21 MS. PLUBELL: No further questions.

22 MR. CURTISS: Yes, Madame Chair, I have a  
23 question.

24 THE WITNESS: Yes, sir.

25 MR. CURTISS: Good morning, Mr. Four Star.

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1 THE WITNESS: Good morning.

2 MR. CURTISS: I'm Vance Curtiss, one of the  
3 board members here.

4 And we're not trying to intimidate you. The  
5 main thing is that we are trying to piece a whole bunch of  
6 information together. Do you understand?

7 THE WITNESS: Yes, sir.

8 MR. CURTISS: Okay. And I have a question  
9 here: How long do you suppose it would have been,  
10 Mr. Four Star -- I mean this conversation that you -- you  
11 collected a lot of data there, as I'm listening. How long  
12 do you suppose this young lady was talking during the time  
13 that all of this information came out? Just roughly.

14 THE WITNESS: I would say about 10 minutes.  
15 She was -- talked some about it, and then she would pull  
16 the edge cord down at the end, and they would cut it off,  
17 mark it, and then they would come back, and she'd say some  
18 more to them.

19 Now, my work area was in one space. I just --  
20 there was a bar, and I would step across in front of the  
21 bar and walk around behind it and in front of it to cut  
22 the netting that I was working on, so I didn't really move  
23 all that much from that area. But I would say it was  
24 probably about 10 or 15 minutes.

25 CHAIRWOMAN O'CONNOR: Okay, thank you.



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1 THE WITNESS: You know, it wasn't all at once.  
 2 She would pull the edge cord down, come back, and say some  
 3 more.  
 4 MR. CURTISS: And, Mr. Four Star, did she act  
 5 like maybe she was under the influence of something? Were  
 6 you aware of anything along those lines, in your judgment?  
 7 Did she act normal to you?  
 8 THE WITNESS: She seemed to act normal. But,  
 9 you know, like I said, I don't really know her. I didn't  
 10 know her that well, so --  
 11 MR. CURTISS: So you wouldn't know normalcy,  
 12 or --  
 13 THE WITNESS: (Nodding head affirmatively.)  
 14 MR. CURTISS: Okay, okay.  
 15 THE WITNESS: But she seemed to be normal.  
 16 MR. CURTISS: Okay. Now, one other question,  
 17 one other question, and I don't want to belabor this: You  
 18 went to the padre, and you had no faith in the law  
 19 enforcement at all?  
 20 THE WITNESS: Well, not with the tribal  
 21 police, no, I didn't.  
 22 MR. CURTISS: Okay. And this was really  
 23 bothering you, correct? It would be me.  
 24 THE WITNESS: Yeah, it was.  
 25 MR. CURTISS: Okay.

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1 THE WITNESS: It was bothering me.  
 2 MR. CURTISS: And your chain of command as far  
 3 as law enforcement, how about the FBI? Do you have  
 4 confidence in them?  
 5 THE WITNESS: I would, yeah. I guess I do,  
 6 but I didn't really think about going to the FBI or  
 7 anybody else.  
 8 MR. CURTISS: Okay. And as far as the padre  
 9 is concerned, did you -- did he encourage you? Did he  
 10 give you any direction as to where you could go to --  
 11 because I'll really confess to you: If I had this kind of  
 12 information presented to me and I was knowledgeable of it,  
 13 I'd be yelling from the middle of the street in Poplar,  
 14 Montana. Because this is pretty big stuff, right?  
 15 THE WITNESS: Yes, it is.  
 16 MR. CURTISS: And I certainly would be getting  
 17 it to someone that -- you know, at least in an interview  
 18 or carried this investigation on. And the padre, he gave  
 19 you no information - a question now - as to what direction  
 20 to go with this?  
 21 THE WITNESS: No, he didn't. Like I said, he  
 22 said -- I said that it was concerning the Nees trial, and  
 23 he said there was already a conviction on it. And he said  
 24 just to pray about it, and things would work out.  
 25 MR. CURTISS: I won't belabor this anymore.

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1 You see where I'm coming from, don't you?  
 2 THE WITNESS: Yes, I do.  
 3 MR. CURTISS: Because I think that every  
 4 citizen of this country needs to know where to go if  
 5 things aren't going right, especially something -- a  
 6 murder or something along this line. We need to know a  
 7 direction if we're in doubt. And that's where I'm coming  
 8 from. Okay? Do you understand what I'm saying?  
 9 THE WITNESS: It's a different world on the  
 10 reservation, sir.  
 11 CHAIRWOMAN O'CONNOR: I know. I've been on a  
 12 lot of them in my life, so I understand what you're  
 13 saying.  
 14 Okay, that's all I have, Madame Chair.  
 15 MS. BOWMAN: No questions.  
 16 CHAIRWOMAN O'CONNOR: I have a few.  
 17 You said it was so quiet, you could hear a pin  
 18 drop. Now, yesterday Sissy Atkinson testified, you  
 19 understand, and she was telling us how noisy this edge  
 20 cord machine is. Now, I don't have a clue about an edge  
 21 cord machine. Is or is not an edge cord machine noisy?  
 22 THE WITNESS: No, it's not noisy. All it was,  
 23 was a stand with eight spools of cord on it, and they  
 24 would -- there was not really any machinery involved in  
 25 it. They would pull it, tie it to the -- tie knots in it,

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1 pull it, and then pull it to the edge, put the knots on a  
 2 little clamp-like thing, pull it tight. And then once  
 3 they tightened it onto the weights, then a compressor  
 4 would drop the weights and tighten the cord.  
 5 So it would make some noise, but it wasn't a  
 6 constant noise. The compressor --  
 7 CHAIRWOMAN O'CONNOR: Just when it  
 8 tightened --  
 9 THE WITNESS: -- makes the air, and it only  
 10 took about four seconds.  
 11 CHAIRWOMAN O'CONNOR: So she goes through this  
 12 process, and then the compressor pulls it tight. And it  
 13 only makes noise when the compressor pulls it tight; other  
 14 than that, it's silent?  
 15 THE WITNESS: Yeah.  
 16 CHAIRWOMAN O'CONNOR: Okay. And from like  
 17 that corner over there, let's say - (gesturing) - how far  
 18 away were you from her when this was going on? Were you  
 19 further that this room allows, or not as far?  
 20 THE WITNESS: No, I wasn't further than the  
 21 room. I was probably --  
 22 CHAIRWOMAN O'CONNOR: Okay. So let's say  
 23 that's the corner -- (gesturing.) So where?  
 24 THE WITNESS: I was probably, probably on --  
 25 just right about on this side of your stenographer, maybe



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1 about 3 feet on the side of him.  
 2 CHAIRWOMAN O'CONNOR: So is that 10 feet,  
 3 about? I thought you were describing further than that.  
 4 I'm bad at --  
 5 THE WITNESS: I think that's about 15 - 20  
 6 feet, isn't it?  
 7 CHAIRWOMAN O'CONNOR: Is it? Okay. So you're  
 8 saying you were 15 or 20 feet?  
 9 THE WITNESS: Yeah.  
 10 CHAIRWOMAN O'CONNOR: And that's about 3 feet  
 11 on this side of -- okay.  
 12 Now, when you spoke with the priest, Father  
 13 Jim from Immaculate Conception in Wolf Point, when did you  
 14 speak with him? Do you know?  
 15 I mean I'm not trying to trip you up at like  
 16 "the end of '84" or "the beginning of '85". Just  
 17 generally, when did you --  
 18 THE WITNESS: It would have been -- my wife --  
 19 my girlfriend was pregnant, so she was about ready to give  
 20 birth. So that, I do know, was about August of 1985.  
 21 CHAIRWOMAN O'CONNOR: Okay. And you were also  
 22 saying that she was pregnant when this conversation went  
 23 on --  
 24 THE WITNESS: Yeah.  
 25 CHAIRWOMAN O'CONNOR: -- when you heard it?

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1 THE WITNESS: Yeah.  
 2 CHAIRWOMAN O'CONNOR: So you told Father Jim  
 3 in not very long? It was pretty soon after you heard it  
 4 that you went to Father Jim?  
 5 THE WITNESS: It was probably three months  
 6 after I heard it.  
 7 CHAIRWOMAN O'CONNOR: Okay, okay. But not  
 8 five years, or something?  
 9 THE WITNESS: No.  
 10 CHAIRWOMAN O'CONNOR: And was this Father Jim  
 11 Reynolds? Do you remember his last name?  
 12 THE WITNESS: It may have been.  
 13 CHAIRWOMAN O'CONNOR: Describe Father --  
 14 THE WITNESS: No, it wasn't Father Jim  
 15 Reynolds, because I remember Father Jim Reynolds. No, it  
 16 wasn't him.  
 17 CHAIRWOMAN O'CONNOR: Which "Father Jim" was  
 18 it?  
 19 THE WITNESS: I don't know. All I know is his  
 20 name was Father Jim.  
 21 CHAIRWOMAN O'CONNOR: So he was Father Jim,  
 22 and he was at Immaculate Conception Parish in Wolf Point  
 23 in the summer of '85; is that right? *maybe can find out for us*  
 24 THE WITNESS: Yes, ma'am.  
 25 CHAIRWOMAN O'CONNOR: Now, were you in

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1 confession when you spoke to him, or did you speak with  
 2 him at the rectory, or --  
 3 THE WITNESS: I was in confession. I was  
 4 behind the screen.  
 5 CHAIRWOMAN O'CONNOR: Okay. How many times  
 6 did you speak to Centurion Ministries' people?  
 7 THE WITNESS: Well, there was the initial  
 8 visit; and after that, I spoke to them maybe three times.  
 9 CHAIRWOMAN O'CONNOR: After that, three times?  
 10 THE WITNESS: Yeah, prior to giving the  
 11 statement. And this would just be conversations asking  
 12 how I was doing, and stuff. That's, you know, that's  
 13 about the content of the conversations I had with them.  
 14 CHAIRWOMAN O'CONNOR: How did you happen upon  
 15 Centurion Ministries' people? Did they call you to ask  
 16 how you were doing, or did you meet them on the street, or  
 17 what?  
 18 THE WITNESS: No. They came to my mother's  
 19 house looking for William Balbinot, and that's how I came  
 20 across them.  
 21 MS. BOWMAN: She means when you were just  
 22 saying "hi" to them, or whatever.  
 23 THE WITNESS: Oh, no, they would call. I  
 24 would talk with Richard Hepburn from time to time. And  
 25 just to keep up on how things were going, I guess, is why

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1 he called.  
 2 CHAIRWOMAN O'CONNOR: So he called you each of  
 3 these times?  
 4 THE WITNESS: Yeah, yeah.  
 5 CHAIRWOMAN O'CONNOR: I see, okay. All right.  
 6 Does that cause you more questions?  
 7 REDIRECT EXAMINATION  
 8 BY MR. CAMIEL:  
 9 **Q. Mr. Four Star, the Father Jim, was it Father**  
 10 **Jim Burkman?**  
 11 A. It may have been.  
 12 **Q. Did you tell, did you tell Mr. Hepburn at**  
 13 **Centurion Ministries that you were, that you were fearful**  
 14 **of retribution?**  
 15 A. I believe I did mention it, yeah.  
 16 **Q. Was that one of the reasons he was, he was**  
 17 **calling you from time to time, to see if you were okay?**  
 18 A. I believe so. I don't know what his motives  
 19 were, but I -- I don't know exactly what his exact motives  
 20 were. I suppose he was trying to make sure I was okay,  
 21 you know, because, yeah, I was afraid of something  
 22 happening. And I still am.  
 23 **Q. The first time that you met with Centurion**  
 24 **Ministries, you said you were at your mother's house.**  
 25 **Mr. Hepburn showed up looking for information about**



1 **William Balbinot, and you said you came upstairs?**

2 A. Yeah, I came upstairs to get some coffee, and  
3 that's -- yeah, that's --

4 **Q. Then you found out what he was inquiring**  
5 **about?**

6 A. Yes.

7 **Q. And that's when you disclosed to him for the**  
8 **first time --**

9 A. Yeah, that's the first time I disclosed it to  
10 him or anyone else other than the father.

11 MR. CAMIEL: Thank you.

12 CHAIRWOMAN O'CONNOR: Ms. Plubell?

13 MS. PLUBELL: I have nothing further.

14 CHAIRWOMAN O'CONNOR: You may be excused. We  
15 will take a 10-minute break.