

DATE: January 7, 1983

STATEMENT FROM: Barry Allen Beach, a white male, DOB: 02-12-62, 307 Clara Drive, Monroe, La., SS#517-74-7617.

IN RE: A Homicide which occurred in Wolf Point, Montana, which is Roosevelt County, Montana in June of 1979. The victim in this matter being a Kimberly Nees, a white female, approximately 17 or 18 years old at the time of her death.

LOCATION: Ouachita Parish Courthouse Annex, Investigator's interrogation room.

TAKEN BY: Sgt. Jay Via and Commander Alfred Calhoun of the Ouachita Parish Sheriff's Office.

- Q. Would you state your full name for the record please?
- A. Barry Allen Beach.
- Q. Now, Barry, are you aware that everything we are saying is being recorded?
- A. Yes, sir.
- Q. And is that with your consent?
- A. Yes, sir.
- Q. Are you also aware that you have not been arrested, but that you are a suspect and we are going to question you regarding this homicide in Montana?
- A. Yes, sir.
- Q. Prior to any questioning regarding this particular homicide, have you been advised of your constitutional rights?
- A. Yes, sir.
- Q. Did I personally advise you of those rights?
- A. Yes, sir.
- Q. And have you been advised of those rights on numerous occasions?
- A. Yes, sir.
- Q. For the record I would like to read you this waiver that you have just signed. If you have any questions, ask me and I'll explain it to you okay?
- A. Yes, sir.
- Q. (Sgt. Via reads waiver - copy attached)
- Barry, is this your signature that appears at the bottom right hand portion of this page?
- A. Yes, sir.
- Q. This waiver witnessed by Sgt. Via and Commander Calhoun. Barry, before we actually get into the body of the statement, I need to know a little background about you. How far did you go in school?
- A. The twelfth grade.
- Q. And did you complete the twelfth grade?
- A. Yes, sir, I graduated from Poplar High School.
- Q. And where is Poplar High School?
- A. In Poplar, Montana.

Q. Now, are you able to read, write and understand the English language?

A. Yes, sir.

Q. Can you pick up a newspaper and read it and understand what is in it?

A. Yes, sir.

Q. Do you have any difficulty in understanding anything that is going on?

A. No, sir, not.

Q. Okay, are you presently under the influence of any alcohol or narcotics?

A. No, sir.

Q. Okay, and is it your desire to continue with this statement at this time?

A. Yes, sir.

Q. Now, Barry, has anyone forced you in any way to give this statement?

A. No, sir.

Q. Has anyone threatened you in any way to give this statement?

A. No, sir.

Q. Has anyone promised you anything in return for giving this statement?

A. No, sir.

Q. And again, is it your desire to continue?

A. Yes, sir.

Q. Now, Barry, you heard me mention a young lady by the name of Kimberly Nees; is that correct?

A. Yes, sir.

Q. Are you familiar with this individual?

A. Yes, sir.

Q. And how do you know her?

A. She was my girlfriend's sister.

Q. Okay. Now, is Kimberly Nees alive or dead today?

A. She is dead.

Q. Okay. Do you know what happened to her?

A. Yes, sir.

Q. Would you mind relating us to your own words what happened?

A. I had got my car stuck earlier that day down at the river and tore the transmission out of it.

Q. Okay, excuse me just a second there. Now, we are talking about, you got the car stuck here in Monroe or somewhere else?

A. In Poplar - down at Sandy Beach there in Poplar.

Q. Okay, now, are we talking about yesterday, or when did all of this take place?

A. This was back in 1979. In June or July.

Q. Was it during the summer?

A. It was during the spring - or summer - '79.

- Q. Okay, and I believe you just said you were what is called Sandy Beach in Poplar, Montana?
- A. Yes, sir.
- Q. Now, were you there at this location by yourself or was someone else with you?
- A. I was there with Caleb Garner and Shannon O'Brien.
- Q. Would you slow down and repeat those names for me. I didn't understand.
- A. I was there with Caleb Garner and Shannon O'Brien.
- Q. Okay, and how were you there?
- A. We was there in my vehicle, partying and what not.
- Q. Okay, now, your vehicle; what kind of vehicle was that?
- A. It was a 1970 Ford Ranchero.
- Q. And what color was it?
- A. Blue.
- Q. So you and Caleb and Sharon had gone to Sandy Beach in your car, or your truck?
- A. Yes, sir.
- Q. What time did you first get to Sandy Beach, Barry?
- A. It was about noon time or one o'clock that afternoon.
- Q. Okay, and you said you all were partying; is that correct?
- A. Yes, sir.
- Q. Now how long did you all party at this particular location?
- A. Three or four hours.
- Q. Okay. Did you and Caleb and Sharon ever - or Shannon, excuse me, ever decide to leave?
- A. Yeah, we finally decided we was going to go get cleaned up and get ready to go out that night.
- Q. Okay, and about what time was this? Do you remember?
- A. I believe it was about four or four-thirty.
- Q. And that's in the afternoon?
- A. Yes, sir.
- Q. All right, and did you leave?
- A. We attempted to leave when the vehicle got stuck.
- Q. Okay, and this is your truck that got stuck?
- A. Yes, sir.
- Q. And how did it get stuck?
- A. It just - the beach is sandy and I had pulled out on the sand and I was trying to come up - there is a little knoll just before you pull onto the sand and my front tires got on the knoll and it would pull itself on over the knoll; it being in the sand.
- Q. Okay. Now what happened when your vehicle got stuck?

A. I tried to get it out by backing it and pulling it forward and so for

Q. Were you able to get the vehicle unstuck?

A. No, sir.

Q. Did anything unusual happen while you were trying to get the vehicle unstuck?

A. I started getting mad.

Q. Okay.

A. And upset.

Q. ~~What did you do when you started getting mad?~~

This don't sound like it

A. I told Caleb to try to get it out while I pushed and so he tried it and he was unsuccessful and we told Shannon to try it and me and Cal pushed and we were still unsuccessful and it was just getting me mad and madder. So we tried to jack it up and get it out and that was successful and so I tried it again and when I tried it again, I tore the transmission out of it - which it locked in reverse and I blew up, got out, got out of the vehicle and started kicking the vehicle and hitting it and cussing and stomping around in a very upset mood.

Q. Were you very angry?

A. Yes, sir.

Q. Okay. Now, what happened after you got angry?

A. Well, me and Caleb ^{we} got into an argument and I'm not really sure about what it was at the point but we got into an argument and it just made me that much madder so I took off and walked down the river a little ways and I turned around and I come back and I tried to get the transmission in my car to shift again and I couldn't do it and so I start pounding on the vehicle again and Caleb once again, he tried to tell me to calm down; tried to tell me that we could get a transmission for it (and all of this).

Q. Did that ease your anger any?

A. No, I was just getting madder and madder.

Q. And then what happened?

A. We got into an argument and so I said I was going to town.

Q. Did you tell him that you were going to do any particular thing in town?

A. Well, I recall telling him that I was going to town to get help and would send somebody back out to pick them up. *Why pick them up if mad at them.*

Q. Okay, and did you leave?

A. Yes, I left. I left my vehicle and walked to the road and then on into town.

Q. Okay, what route did you take coming into town?

A. I walked down the road by the park, coming up ^{to} the trail behind the jail which cuts across the pasture right below the jail and I come up the hill right behind the jail, walked past the hospital down toward the Headstart. I passed the Headstart and onto the main - no, up past the Headstart to the Catholic Church and I cut through the Catholic Church over to Bob's Market and I got on the main highway and I walk down towards school.

Head Start was not here in 1979.

Okay, did you pass any other business establishments as you were going back into town?

A. I passed the Conoco and on down towards Tasty Freeze and when I got to the Tasty Freeze

Everything up to here is what happened that day & is fairly true

- Q. Okay, let me ask you this, Barry. Now, the Conoco; is that a service station?
- A. Yes, sir. *This was at about 4100 and Kim didn't use the pickup until 12:00pm (see B-4 B-6).*
- Q. Did you see anyone at this particular service station?
- A. Yes, sir, I seen Kimberly Ann Nees and Craig ^{Greg} Norgard. I believe it was Craig. *Greg Barry would have said Kim, not her whole name*
- Q. Okay, now, what kind of vehicle were they in; do you remember?
- A. They were in her father's pickup.
- Q. Okay, and what were they doing there?
- A. They were getting gas.
- Q. Okay, did you stop and have any conversation with them at this point?
- A. I stopped and asked her to give me a ride to the house.
- Q. And what did she say?
- A. She said she was busy.
- Q. All right, were you still angry?
- A. I - I was still angry but I had calmed down considerably.
- Q. Did you get angry after she said she couldn't give you a ride?
- A. No, I just walked on to the Tasty Freeze where I found Larry Rowe and Dorrence Steele and I asked them for a ride. *And*
- Q. Did they give you a ride?
- A. They eventually give me a ride but they, too, said they were busy and I talked them into giving me a ride anyhow.
- Q. And then what happened?
- A. I went to the house and went in the kitchen and I looked for a beer in the refrigerator. I started to fix me something to eat and then changed my mind. I went upstairs and I took my clothes off and laid down and went to sleep for a while. *At 4:30 am my mom saw me in bed with my clothes still on, 7:30 am I got up with my clothes still on!*
- Q. Did you wake back up?
- A. I woke back up and went and I got cleaned up and I looked for my mom and she wasn't home yet. I was going to have her cook me something eat. So I started walking downtown towards the school.
- Q. Excuse me; so after you got home this first time, you went to sleep a little while and then woke up and then left the house again?
- A. Yes, sir.
- Q. Okay. Now about what time of the day or evening was this? Do you remember?
- A. It was - it was after dark. *i don't know* I'm not really sure what time it was.
- Q. How were you dressed when you left the house?
- A. I believe I had blue jeans and a flannel shirt on. *(see - 0-2) / 7-2* I'm not really
- Q. Okay. Do you remember what kind of shoes you were wearing?
- A. I always wore leather shoes with rubber soles. *see 0-2*
- Q. Okay, now, when you left the house, you said you started walking back toward town?

Page 5 Kim and Greg Norgard were at the Conoco station getting gas in Kim's (dad's) pickup the day before the homicide, on June 14, according to one of Greg's statements. Greg said he saw her there when she was getting gas and he was on his bicycle. Greg threw his bike in the back of her pickup and he got in with her to ride around. Barry may have seen them there when Jim Walkonis brought him home from out in the country. That was about the same time that evening.

Saturday, June 16, was the date Barry really looked in the fridge for a beer and was going to get something to eat but decided to just go to bed instead. Barb and I were in the kitchen when he came in to look in the fridge. He closed the refrigerator door and I asked him what he wanted. He said, "a beer." I asked him, "Since when do you come in and look for a beer?" He just laughed and said, "No, really I'm hungry but I'm tired too (from branding) so I'm just going to bed." It was about 6:30 P.M. then and he went to bed and got back up about 9:00 P.M. He ate when he got up and then he called Caleb Courneau and told him to pick him up. He said he would start walking up by the school toward Exxon and Caleb could pick him up when he saw him. Then he left and came back later during the night.

A. Yes, I started walking up towards the school.

Q. Okay, and did you see anyone while you were walking this time?

A. Not until I got up to the school. And right across the school at the Exxon

Q. The Exxon - is this a service station?

A. This is a service station right across from the school.

Q. All right, who did you see at this particular station?

A. I seen Kim setting there and she was talking to somebody; I'm not really su - I can't really recall who she was talking to. I went over and I started asking her if she knew where Pam was and then I asked her if I could ride around with her.

Q. And what did she say?

A. If I'm not mis - we went riding around and

Q. Did you go to any particular place while you were riding around; Barry?

A. Not until later on that evening. We just rode around and I believe it was fairly late at night when I did this. I'm not real sure.

Q. Okay, let me ask you this, Barry. When you and Kim were riding around, did you all see anyone that you knew and stop and talk to them?

A. No, I don't believe we stopped and talked to anybody.

Q. Now, you said it was late at night? Is that correct?

A. Yes, sir.

Q. All right, did you and Kim eventually stop riding around?

A. Yes, we went down to the river.

Q. And what river are we talking about?

A. The Poplar river.

Q. Okay, and how did you get to this particular location?

A. Kim drove down there.

Q. Okay, but what route did you take to get there?

A. Down - down the highway.

Q. Okay, did you cross any kind of structures or anything?

A. No. We went through the park and down towards the train bridge.

Q. Okay, now once you got down near this area, did you and Kim stop any where?

A. Yes, we stopped down there by the train bridge and we were talking and we smoked a joint.

Q. Okay, when you were talking, what were you all talking about?

A. We were talking about Kim and Pam and I was asking her questions about herself.

Q. Do you remember what type of questions you were asking, Barry?

A. Just questions in general; how she was doing in school, you know. How - I believe she had just graduated that year. And I was asking her questions about that and what she planned on doing.

Q. Okay, Barry

*DI
5-11-54*

(see B-4 + B-6) if she didn't trust me or hated me why let me ride with her?
(see C-10, C-9, C-1,) all say she was alone (also C-7)

Again, I beleive Barry did see Kim at the Exxon station, but on June ~~15~~¹⁴, not June 15. Steve Shagunn said in one of his statements that he parked at the Exxon the evening of June 14 to talk to Kim. In the other statement of Barry's that we read, Barry said it was a white pickup parked there and Steve Shagunn was talking to Kim when he was walking toward the Exxon.

All the kids around who knew Kim and knew Barry would tell you that Kim would never have let Barry in her pickup to ride around. They were not of the same social class, in fact, they really didn't care for each other.

Katherine Moe saw Kim alone at 12:40 A.M. and again at 1:00 A.M. and signed an affadavit to that effect.

A. Just general questions.

Q. All right, excuse me. When you were talking to Kim, did the conversation ever get to be of an intimate nature?

A. Eh - to - to a degree, I thought.

Q. Okay, who initiated that intimate conversation?

A. I did.

Q. Okay, and would you tell me what it was about, or what was said?

A. It was - it was just basically about making love and her boyfriend and whatnot, you know. I got to asking her to questions about why Pam had run around on me. *(via) okay so*

Q. Okay, let me ask you this. Did you ever at any point during this conversation, ask Kim if she would make love to you?

A. Yes, after a while I did.

Q. Okay, now when we are speaking of making love; are we talking about having sexual intercourse?

A. Yes.

Q. Okay. What was her response when you asked her to have sexual intercourse with you?

A. She said no.

Q. Okay. Did that get you upset?

A. It upset me a little bit. It just - so I just started trying harder to

Q. How did you start trying harder?

A. *was* I started off by smoking another joint with her and hoping that she would get a little bit more messed up, you know.

Q. Okay. Now, did you ever touch her or fondle her in any way?

A. I finally did. I finally reached over to kiss her and she pushed me away. *(via) ok. what happened? No*

Q. What happened next?

A. I got mad.

Q. Okay. How mad did you get, Barry?

A. I didn't get all that mad to begin with. And so we set there a little bit more and I tried to kiss her again and she told me to get out of her truck and I told her no.

Q. And then what happened?

A. It got me mad.

Q. How mad did you *(Barry) And that's when... you* excuse me, how mad did you get at this point, Barry?

A. I got pretty mad this time.

Q. Okay, and then what happened?

A. I - I started asking her questions about why girls - the girls around there didn't like me.

Q. And how did she respond to that, Barry?

A. She told me it was because it was a - because I was an ass hole.

Q. How did you feel about that?

A. It upset me quite a bit.

Q. ~~Okay.~~ ^{(via) O.K. YU} And then what happened?

A. And I made a move on her again and she slapped me.

Q. Are you saying "make a move." Did you try to touch her or fondle her or anything?

A. Yeah. I tried to grab her and she slapped me.

Q. And then what happened after she slapped you?

A. When she slapped me, I reached for her and grabbed her by the arm and pulled her over next to me. And she started fighting me.

Q. And then what happened?

A. ~~She~~ ^{she} hit me again and I flew off the handle again.

Q. What happened then?

A. It just - I just got so mad I didn't really know what I was doing.

Q. ^{what took, YU.} Excuse me, what took place, Barry?

A. I kept - I kept trying to get her close to me and she kept fighting and pushing at me and that sort of stuff and when she slapped me again, I - I got mad and flew off the handle and I hit her back.

Q. Okay, how did you hit her, Barry? With an open hand, a fist, or what?

A. I hit her with my fist.

Q. Okay, and then what happened?

A. And then I tried to grab her and - again - and she pushed me away ~~and~~ ^{(via) O.K. YU} so - I don't know, I just - I just flew off the handle and I started hitting her.

Q. ~~Okay.~~ ^{FLU} What were you hitting her with this time?

A. I had picked up a Crescent wrench off of the floorboard. ^{See B-3 + B-6}

Q. Would you describe that Crescent wrench to me, Barry?

A. It was a twelve inch chrome Crescent wrench.

Q. Okay, now, you said you started hitting

A. Stainless steel ~~FLU~~

Q. Okay, you said you started hitting her with this?

A. Yes, sir.

Q. And what happened when you started hitting her with it?

A. She started backing ^{off} away from me and trying to get out of the pickup. She slid back over to the driver's side and started to get out the door and I jumped out and run around ^{to} pick up - caught her as she was coming out the door. I threw her up against the pickup and again I grabbed her and tried to kiss her and she scratched me.

Q. Where did she scratch you at? ^{Testimony at trial as to the fact I had no scratches}

A. I'm not really sure. I just remember her scratching me. It was on the arm or the back or somewhere.

Q. Okay, did - what happened next?

A. When she did I just got that much madder and I reached over and I threw her up against the pickup and I started choking her.

^{Autopsy showed no strangulation}

No Throat damage in autopsy

Page 8 LOGICALLY: Would a person pick up a wrench off the floor of someone else's pickup in a fit of rage and automatically size up that tool? (Hypothetically-Hm, this is a 12" stainless steel chrome crescent wrench, okay, I'll use this.) The story that a crescent wrench and a tire tool were used to kill Kim was around town already by 9:00 A.M. when the stores opened up. The body did not even leave Poplar to Great Falls for the autopsy until shortly after 9:00 that morning.

There was a display in Beck's Sporting Goods window and in the Trader's State Bank display window after the homicide that included a crescent wrench and a tire tool along with pictures of Kim both alive and dead.

Barry had no scratches anywhere on his body the next day. About ten to twelve people saw him all day with his shirt off at branding at my parents ranch. The autopsy report revealed that Kim had no skin under her fingernails.

There were no strangulation marks on Kim's throat in the autopsy report and there would have been if he had tried to choke her in a fit of anger.

Q. Okay, what had happened to the Crescent wrench that you had?

A. I - I dropped it when I got out of the pickup. I was trying to hurry up and get around there before she run off.

Q. Okay, then what happened?

A. So, I had her up against the side of the pickup on the driver's side and I reached over in the back of the pickup and got a tire iron out of the back of the pickup and I started hitting her with that, telling her I was going to kill her, calling her a bitch, and cussing her

Q. Okay, and then what happened?

A. We started struggling and she got away from me and I had a hold ~~to~~ ^{on} her coat. She run around to the other side of the pickup and I - I tackled her on the other side of the pickup and I hit her a couple of more times.

Q. Now, what were you hitting her with, Barry?

A. I was hitting her with the tire iron. (see B-4 + B-6)

Q. Now, Barry, let me ask you this. When you had her pinned up against the truck on the driver's side and you were hitting her; where were you hitting her at?

A. Just anywhere and ^{EVERYWHERE P.O.} ~~everything~~ I could.

Q. What was she doing?

A. She was covering her head with her arms and screaming.

Q. Okay, and I believe you said she ran around the pickup truck and you tackled her from behind?

A. Yes, sir.

Q. And you had her on the ground? Was she face up or face down?

A. She was sort of on her side. she was face down (see D-4)

Q. Okay, ~~and~~ ^{NO P.O.} when you started hitting her, where were you hitting her then?

A. In the side and in the back of the head. (See Autopsy + D-4)

Q. Okay, what happened next?

A. She quit moving so I got up, ^{P.O.} and I stood up and I looked at her and took a couple of steps back and looked at her and then walked back over to where she was laying at and I reached down, checking for her pulse, and it was very weak one and then it stopped. And when it stopped, I stood up again and I said, oh, my God, what have I done. And I took a minute to think and I realized I had killed her.

Q. And then what happened, Barry?

A. So I stopped to think what should I do. The first thing I could think of was to get rid of the evidence. So I threw the tire and the Crescent wrench in the river and I went - I started looking for a blanket or something in the pickup and there ~~was~~ a plastic bag in there - a garbage bag

And I got it and I tried to put the body in it. I drug it over to the edge of the bank of the river and I just pushed her on off over the edge of the bank and I turned around and I started looking and trying to think of what to do. I didn't really know what to do. I was scared. And so I went and I got the keys out of the pickup and I threw the key in the river and picked her jacket up off of the ground and I threw it

down by the body. And I took off running. I run towards my house and following ~~the~~ ^{P.O.} the bottom of the hill ~~and~~ I got to the elevation of the hill and I realized that I had blood all over me. So I went and took my clothes off and wiped as much of the blood off as I could and burned the clothes inside of a railroad box that was sitting there.

Q. What type of railroad box are you talking about, Barry?

Also see the reports on Celeste Shei'do death as her clothes were stacked by her body in the same location and I wasn't around when she was killed.

1 row of the Autopsy by the Autopsy not attach to the river

see A-4 see B-6

see A-4

She wasn't wearing a jacket, and the sweater she was wearing was stacked by the front wheel

see trial trans.

Ted and Pam Nees both gave statements that the only tire tools in the pickup would have been locked in the tool box in the back of the pickup, and even under the sliding tray in there so they would have been very difficult to obtain.

There weren't any tire tool like marks on her arms in the autopsy report and there would have been if she was covering her head with her arms as he said.

In four divings; July, 1979; March, 1983; May, 1983; and June, 1983 there never was a crescent wrench, a tire tool, or pickup keys found.

In the other statement that Barb and I read, Barry said he threw the wrench and tiretool in the river about ten feet north of the body and threw them in after he threw her body in the river. He then said he went up on the train bridge and threw the pickup keys off the train bridge from about the middle of it towards the north. Then he said he walked on the railroad tracks, past the slew, until he came to a railroad car. He said he climbed in it, undressed, and set his clothes on fire with the garbage bag. Burlington Northern did not know of any fire in one of their boxcars during that time.

Barry is strong enough that if he had hit her that many times with the two weapons as he said, Kim would not have had enough strength to have run and to the point that he would even have to tackle her to overcome her.

A. It was a Burlington-Northern box, I believe, I'm not for sure. *(via) is it a...*

Q. Is it a switching box? *(Barry) U.S.P.U.*

Q. (Calhoun) Railroad car?

Q. (Via) *Box* Box car?

A. Box car.

Q. Okay, and then what did you do?

A. And I went up - I ran up the hill to my house and I finished washing the blood off of my body in the upstairs sink.

Q. Did you use anything to wash yourself with?

A. I just used soap and water to wash with and a towel to dry off with.

Q. Did you use a washcloth or anything like that?

A. No.

Q. Okay, and then what happened?

A. And then I stopped - I went in my bedroom and shut the door and I started thinking about it and telling myself, I didn't do it. And I finally went to sleep and then I went - I woke up a couple of hours later and I went down and mother was cooking eggs and bacon and she asked me if I was hungry and I said yeah, and she asked me where I had been all night and I told her I had been upstairs in my bed asleep. She said oh, I was wondering where you had been. I ~~was~~ *had* been looking for you.

Q. Did your mother say that she had done anything trying to locate you that night?

Any Record
A. She said she told me she had called the cops to see if I was in jail.

Q. Did she say when she had called or give you a time of when she ~~had~~ *called* called?

A. No, she didn't.

Q. Okay, Barry, let's stop right here for just a second and let's back up to when you and Kim were at the truck. Would you describe to me what Kim was wearing?

A. She was wearing a brown sports jacket and blue jeans and a plaid, polyester blouse. *(See B-6 + autopsy) this wasn't what she was wearing at all*

Q. Are you sure about that?

A. Yes.

Q. Okay. Now, this jacket that you mentioned she had on. You said you left it with the body? *Never there as there (via) o.k. su*

A. I believe I recall throwing it next to the body. *was no jacket* *(via) o.k. su* Down in that direction any how.

Q. What had happened to the garbage bag that you had placed her feet in?

A. I tried to put - stick her whole body in the bag.

Q. Would it fit? *(Barry) it just... still*

A. No.

Q. Did the bag ever come off? *Never found no bag anywhere (see all reports and trial transcript)*

(SEE A-3)
A. I believe it did when I threw her over the bank. *(via) o.k. su*

Q. (Calhoun) Barry, did you put her in head first in the bag or feet first?

Whenever Burlington Northern ever had an arson attempt or anything burned in or around any of their boxcars they reported it to the local fire department. There was no such report in June of 1979 and Burlington Northern could not find such a report in their files.

Barry could not have washed up in the upstairs bathroom. There was no water supply upstairs. There had been a water leak in a very difficult place in the line and so the upstairs water supply had been shut off completely at that time. If he washed up down stairs he would have to wash in our bathroom in our bedroom and about four feet from my head. I am a very light sleeper. I would have also woke up if he tried to wash in the kitchen sink. It was next to our bedroom.

Barry was never missing any of his clothes. He had grown and worn out some of his clothes so he only had three pair of jeans. I would have definitely known if he was missing any clothes.

Barbara and I drove around and around looking for Barry that night. My brother was also looking for him. My brother had come to get Barry to go out in the country with him to be there early to round up the cattle for branding the next day. We left the house about 9:00 P M and returned about 10:15 P M. My brother came back about 11:00 and said he still could not find Barry so he was going home. Larry Rowe and Dorrance Steele had brought Barry home right after we left, but since Barry's car wasn't home none of us thought to look upstairs in bed for him. He was in bed asleep with his swim trunks still on from swimming the day before when I went upstairs to check his room for him at 4:45 A.M. when my husband and I got up that next morning. He was asleep with the bedroom door open, not closed. While we were looking for Barry that evening, we stopped several of his friends to ask if they had seen him but they all said they were looking for him, too. The police car was sitting downtown by Kelsey's Consignment Store watching traffic go by. I stopped and asked them if they had seen Barry. They said no, but if they did see him they would tell him to come home. Of all the people who were out that night no one ever gave a statement about Barry being out. In a small town of 2,000 people and only two main streets of three blocks long each, someone would have seen him. (Kenneth Grey Hawk saw Jim Walkonis, Billy McClammy, and Kim in Kim's pickup on June 14 turn around in front of his house and said it was Barry with Kim.)

Barry described an outfit Pam and Kim both wore to school. One (blouse or jacket) belonged to Pam and the other belonged to Kim, but they wore them together occasionally. (Check Pam's January, 1983 statement). However, according to the autopsy report this was not what Kim was wearing. LOGICALLY: If she was wearing a blazer, why would she bring along the white sweater found at the scene, it was June and warm.

Jay Via said "placed her feet in" not Barry when referring to her body being in a garbage bag. Why did Calhoun ask head first or feet first a few lines further down? Was this an attempt at correction? If she was in the bag feet first with her head bleeding profusely, the bag could not account for no blood on the drag trail as the Prosecution tries to lead one to believe. Barry recalls that Jay Via told him that there was a "silver-gray" color garbage bag found $1\frac{1}{2}$ miles down the river from the death scene. Via said there was blood in it, and inferred that it was Kim's blood. We found no report of a garbage bag being found. If there was one found, how could it have been burned with the clothes?

A: Feet first.

Q: And how much of the bag did you get around her?

A. A pretty good bit of it.

Q. Okay, when you drug her down to the river, how did you drag her?

A. I had her - I had the bag by the top of the bag and on the corners and I had her by the shoulders.

Q. (Via) Okay, Barry, let's stop right here. This side of the tape is running out. I would like to change sides. The time is 7:40 p.m.

Statement from Barry Beach continued from side A. ~~7:40~~ ^{7:40} time ~~7:40~~ ^{7:40} p.m. Barry, while I was changing the sides of this tape, have we discussed anything?

A. No, sir.

Q. And is it your desire to continue at this time?

A. Yes, sir.

Q. Okay, Commander, I believe you had asked Barry how he had drug Kim?

Q. (Calhoun) That's correct. ^{And, K.V.} And Barry, if I understood correctly, you had her feet first in the bag with her knees folded and it was up to underneath the arm pits?

A. Yes, sir.

Q. And then you drug by the bag under each arm and by her shoulders?

A. Yes, sir.

Q. Okay. And when you left that scene going toward your home, did you encounter anybody on the way?

A. No, sir.

Q. When you got home, was there anybody at home in your residence?

A. Yes, sir, my mother and stepfather were home in bed.

Q. Okay, but, now, you did not have any clothes on; is that correct?

A. That's correct. ^{S.P.U.}

Q. ^{O.K. K.V.} How did you get in the house and by them?

A. I walked in the front door and straight up the stairs; the stairs are right there by the door.

Q. To your knowledge, were they awake or asleep?

A. They were asleep.

Q. Do you know what time it was when you got home?

A. No, sir.

Q. Did you have a watch on?

A. No, sir.

Q. Did you have any difficulty getting from where you left the truck to your home?

A. No, sir.

Q. About how far is it from where you left the truck to your home?

A. About an eighth of a mile. ^{(Calhoun) O.K. K.V.} Something like that.

If Kim's body had been in a garbage bag, it would have torn off long before reaching the river. She weighed 116 pounds and she was dragged for 257 feet to the river over rough ground.

Calhoun said her legs were folded in the bag, not Barry. Earlier Barry said the bag was up over her shoulders now he says under her armpits. If there was a bag in either position, there would not have been the 19cm. by 8cm. long scratches on her back and dirt inbedded in them from being dragged.

Our house had ten rooms, four upstairs and six downstairs with a basement. If he went right up the stairs from the door, how would he know if we were in bed, asleep, or even home? My husband did not come home until shortly after 2:00 A.M. (bar closing time.) If she was killed at about 1:30 A.M. as supposed by the autopsy report and the reports of the screams, Barry would have probably have gotten home at about the same time.

Q. How long did it take you to travel that eighth of a mile?

A. Not very long. I ran.

Q. All right. How did you set your clothes on fire?

A. With my lighter.

Q. And what clothes did you burn?

A. My shirt and my pants.

Q. Okay. Did you go home in your underclothes?

A. Yes, sir.

Q. Still wearing your shoes and socks? *All the tracks found at scene*

A. Yes, sir, (Calhoun) O.K. p.u. *were bare foot! (see 0-2).*

Q. (Via) Barry, do you know where the shoes are that you were wearing at that particular time?

A. No, sir.

Q. Do you still have those shoes? *← I even still have these today.*

A. I believe I threw them away. I'm not real sure.

Q. Do you have any idea where you threw them away at?

A. No, sir.

Q. (Calhoun) Barry, let me ask you this. If we went back to that location where the truck was at; could you show us which direction that you threw these items into the river?

A. Yes, sir.

Q. Do you know about how far from the bank they went into the water?

A. No, sir, I'm not really sure. .

Q. Was it a moon light night?

A. Yes, sir.

Q. Fairly bright?

A. It wasn't real bright but it

Q. You could see?

A. I could see.

Q. Okay. Was it cold or warm?

A. It was a little chilly. It wasn't real cold. *or nothing p.u.*

Q. (Via) Barry, let's get back up to the truck again. You said that you had struck, I believe, Kim the first time inside the truck?

A. Yes, sir.

Q. Do you know if she received any wounds that started to bleed inside the truck at that time?

I'm not really sure if she did or not.

Where did you hit her at in the truck as far as on the person?

come on this is a marked area released to evidence. I took for prints out of the truck for passenger side door before leaving the scene.

This is wrong The forecast - however it did not rain.

The weather report was: hail, turning to rain for that night. Hail indicating that it was probably quite warm that early in the night. The moonlight was not very likely since there was probably a moderate to heavy cloud cover as the weather report would indicate and her screams were heard for a considerable distance from the scene at the houses up on the hill and at the house from where they were reported to the police.

For as much blood as there was in the pickup, Barry would have been very aware that there was blood in the pickup. He makes the blows inside the pickup sound very mild (even like one or two blows) for the amount of blood inside and the deep gouge marks on the dashboard, the steering wheel, and the ceiling, some even with hair in them.

A. Up beside the head.

Q. Okay. Did she try to defend you off, or fight you off in any way?

A. Yes, sir.

Q. Did she scratch you any other places other than your back?

A. Eh - I'm not real sure, sir.

Q. Okay.

Q. (Calhoun) Barry, since this happened, have you admitted to anyone else, or told anyone else that you killed this girl?

A. No, sir.

Q. Okay. When you were questioned by the authorities up in Montana, did you deny to them that you had killed this girl?

A. Yes, sir.

Q. Did you, when you were talking to them up there; did you really want to tell them what had happened?

A. No, sir, because I was trying to make myself believe I didn't do it.

Q. ^{O.K. P.U.} I have no further questions.

Q. (Via) Barry, I have just a couple more. Would you describe the terrain or the ground around the truck where you drug her from?

A. It was a flat dirt surface with a little bit of - a little patch of grass in between.

Q. Was there any gravel or stones or anything in the way?

A. A few but not a whole lot.

Q. Okay. When you were dragging her, were you dragging her face up or face down?

A. Face up. ^{according to sheriff} she was drug face down (see D-4) No.

Q. Okay. When you tackled her, where exactly did you tackle her in relation to the truck?

A. It was by the passenger side rear tire.

Q. Okay, now, Barry, after you had hit her in the head and all life signs had ceased; did you place anything near the passenger side of the truck?

A. No, sir. Not that I - I remember going over and picking up the Crescent wrench from beside the passenger side door.

Q. ^{O.K. P.U.} Let me ask you this. Did she have a purse with her? ^{This is leading questions trying to establish the fact the purse and the sweater were stacked by right door on the ground (see D-5)}

A. Yes, I believe she did.

Q. Do you know what happened to that purse?

A. The last time I recall it was sitting in the seat in between me and her.

Q. Do you remember taking the purse out of the truck for any reason?

A. No, I don't.

Q. Do you remember seeing the purse outside of the truck at any time?

A. It seems like it was laying on the ground when I picked up the Crescent. I'm not really sure.

Q. ^{O.K. P.U.} Commander, do you have any other questions?

~~By the examiner, I have no further questions at this time. The transcript is being prepared and will be submitted to you as soon as it is ready.~~

to out
from this
place

like size of P.U.

- A. With my sleeve of my shirt. ^{had been smeared or wiped.}
- Q. Do you remember what areas of the truck you wiped on?
- A. It was the driver's side - the front fender. When I drug her out of the truck, she grabbed the door trying to pull herself back in - trying to get back into the truck.
- Q. Okay. To the best of your ability that night, you tried to wipe your fingerprints off of the truck?
- A. Yes, sir.
- Q. I have no further questions.
- Q. (Via) Barry, has everything you told us been the honest and complete truth?
- A. Yes, sir.
- Q. And again has anyone forced you in any way to give this statement?
- A. No, sir.
- Q. Has anyone threatened or tricked you in any way to give this statement?
- A. No, sir.
- Q. Has anyone promised you any immunities from any prosecution or the lessening of any sentence or any type of reward for giving this statement?
- A. No, sir.
- Q. And have you done so because you honestly wanted to and on your own free will?
- A. Yes, sir.
- Q. Do you have anything to add, take away or change in this statement?
- A. No, sir.
- Q. Showing nothing further, this statement concluded. It is 1948 hours, p.m., on January 7, 1983. Signed, Commander Alfred Calhoun and Sgt. Jay Via of the Ouachita Parish Sheriff's Office.

/kl

Barry was definitely led into the statement about the purse. If this was a voluntary confession, he would have certainly known about the purse. Kim's white sweater was neatly folded on the ground under the passenger side door and the red purse was neatly placed upon the sweater, indicating a deliberate act, not just a "dragging out" of the sweater and purse. In the other statement we read, Barry said he picked the purse up off the seat and threw it in the bushes beside the pickup. He also said it was a small brown leather purse.

Barry said earlier that he was wearing a flannel shirt. The only flannel shirts he had at that time had the sleeves cut out of them at the shoulder seam to make them sleeveless. Two of them had worn out in the elbows and the other one was too short in the sleeves so were cut out. There were no sleeves to wipe the front fender with. Why would he wipe the drivers' side front fender? He indicated earlier that they were struggling behind the drivers' side door, far enough back for him to have supposedly reached in the box to pick up the tire tool.

What connection does him dragging her out of the pickup have with where he wiped the fingerprints? Also, why is he suddenly dragging her out of the pickup and she is struggling to stay in the pickup when he said earlier that she jumped out of the pickup to try to flee from him. (They are trying to account for the bloody palm print which was on the door moulding.) It did not match Barry nor did any of the other prints that were found on the pickup anywhere. If Barry would have been there he would have left prints several places on the pickup that could not have been wiped off without completely wiping both the inside and out as well as the door handles and pickup box.

THERE ARE MANY INCONSISTENCIES.

An interesting fact and maybe an impossibility:

If the actual time elapsed was only thirty eight minutes during the taking of the statement, there would be a question and response every five to six seconds. Hardly time to catch a breath for thirty eight minutes.

There is a report of some strands of hair that were found in the pickup seat. These were found to be fresh and were presumed to be dislodged from the person during the struggle in the pickup. However, They did NOT belong to either Kim or Barry.