

STATEMENT SUMMARY

Name: Maude Greyhawk Kirn

Significance to Beach's Clemency Application: Beach claims that Maude participated in Kim's murder and has made admissions to others, including her deceased husband, that she was involved.

Summary of March 19, 2007 Tape Recorded Statement

Relationship with Kim and Beach

Maude considered Kim to be her friend and describes Kim as the sweetest, kindest girl. Kim would always give Maude, who was 18 and had a baby, a ride anywhere she and the baby needed to go. (4, 11.) Maude last saw Kim alive about a week before she was murdered. They got high together in Kim's truck. (11.) Maude explained that Kim "was the kind of person that you never had a reason to want to hit someone like that, and for me to be accused of that, you know, it just makes me really mad." (12.)

If Maude had been present while others were trying to beat Kim up, she would have defended her. (12.)

Maude went to Kim's funeral and went to Kim's house after the funeral. (22.)

Maude knew Beach but had never spoken to him. (20.)

Recollection of Activities the Evening of June 15, 1979

Maude was drinking and cruising around in her dad's car. She knows Sissy was with them for a short time. Joanne Jackson was with her and possibly Jordis Ferguson, but she is not sure about that. (6.) She knows they were at the Buckhorn Bar between around 11 p.m. or 12 a.m. (6-7.) After that, she dropped people off one by one. She ended up with Rose Failing, Denver Atkinson [Sissy's brother] and his best friend John Prescott. They headed north of Poplar, drank wine and got high. She estimates that she arrived home around 4 a.m. (7-8.)

Statements Centurion Ministries Attributes to Her

Maude recalls talking to Ron Kemp and probably told him about rumors she had heard. (15.) She denies any involvement in Kim's murder or secreting any knowledge about the murder. (19.) She admits she was drunk on June 15-16, 1979, but not drunk enough to black out. (15-16.) She denies making statements to Judy Greyhawk. There is a long history of bad blood between them. She denies making statements to her deceased husband, Dana Kirn, and believes that Dana used Centurion Ministries to try and get back at her because she left him for another man. (16-17.) She does not recall discussing anything about Kim's homicide with Janice White Eagle, but she did work with Janice, and Janice was her neighbor. (21.)

Assessment of Centurion Ministry's Investigation

At first she cooperated with Centurion Ministries, but the investigators tried to put words in her mouth and twisted what she said. They made her angry and she does not wish to have any more contact with them. (4.) She views them as unprofessional and states, "they just grabbed some gossip in a really small town and they just ran with it and it just went amuck and now there's hundreds of people involved." (26.) She is very angry about the accusation that she had any involvement in Kim's murder, and also believes they have slandered her father, a retired cop, who spent his whole career trying to uphold the law. (12, 14.)

MONTANA DEPARTMENT OF JUSTICE

TELEPHONE INTERVIEW

State V Beach

Maude Greyhawk Kim

March 19, 2007

MONTANA DEPARTMENT OF JUSTICE

CASE: STATE V BEACH
DATE: March 19, 2007
CASE AGENT: Ward McKay (WM)
INTERVIEWEE: Maude Greyhawk Kim (MK)

Today's date is March 19, 2007. The time now is approximately 10:02 hours. This tape-recording will document a telephone conversation with Maude Grayhawk Kim (MK) relative to the Beach Clemency Hearing. Present on this end of the line is Assistant Attorneys General Mike Wellenstein (MW) and Tammy Plubell (TP). This is Agent Ward J. McKay (WM). The phone call will be placed to Kim's home phone number which is (303) 935-2774.

(dialing in background)

MK: Hello.

MW: Maude, this is Mike Wellenstein. How are you doing?

MK: Okay. I'm doing okay.

MW: Um, with me today, uh, we'd like to talk to you a little bit about, uh, the, the Barry Beach issue. With me today is uh, Tammy Plubell and Ward McKay, an Agent in our office.

MK: Uh huh.

MW: Um, Ward would uh, like you to ask some, like to ask you some questions, alright?

MK: Okay.

MW: Well here's Ward.

MK: Okay.

WM: Good morning Maude.

MK: Good morning.

WM: Can I call you Maude?

MK: Sure.

WM: And Maude I understand that your maiden name was Greyhawk, is that true?

MK: Yes it is.

WM: And uh, eventually you married and, and carry the name of Kirn as well?

MK: Yes.

WM: Okay. Um, Maude what's your date of birth please.

MK: 9-18-60.

WM: And your social security?

MK: [REDACTED]

WM: Thank you. Can I call you Maude?

MK: Sure, that's fine.

WM: Maude, um, again, I work with um Mike Wellenstein as well as Tammy Plubell on different matters.

MK: Okay.

WM: I'm an agent for the Montana Criminal Investigation Bureau also known as the Division of Criminal Investigation.

MK: Okay.

WM: Have been there for many years and I, I work with these folks, uh, quite often on different matters. This is nothing unusual for us to be involved in something like this.

MK: Uh huh.

WM: Maude, you're in no trouble here that we know of. But, it's important for us to document a conversation with you ...

MK: Uh mum (affirmative).

WM: ... to demonstrate and be able to document first hand your knowledge of the Kim Nees homicide as well as the Barry Beach investigation.

MK: Okay.

WM: You have to know please that, you, you are under no obligation to talk to us. You can cease this conversation at any time and, in other words you've got control of this thing.

MK: Uh mum (affirmative).

WM: We appreciate your cooperation and we surely do want to talk to you because, um, the Centurion Ministries have conducted an investigation and they still are uh, doing some things regarding the Barry Beach matter ...

MK: Uh huh.

WM: ... and they are accusing some people of the murder of Kim Nees.

MK: Yeah, I'm, I'm aware of all of that. I've had contact with them several times until I decided that I didn't want to speak to them anymore because, it just, you know it just made me feel as though I tried to cooperate but yet it made me feel as though they were trying to back me into a corner and that just wasn't right, it wasn't gonna work because, you know they were trying to put words in my mouth and twist things and I just became angry, and I just didn't want anymore contact with them.

WM: Well, we've rev, we've reviewed a lot of documents that they've filed in this matter and its apparent, not only in, in reference material that names you in part of it, but others as well and, and you can see where people kind of ...

MK: Yeah.

WM: ... had enough and said enough is enough.

MK: Exactly and that's how I felt all along and I'm more than happy to cooperate with you guys because Kim was a very good friend of mine and it really upsets me that the person that I believe did this could possibly get out of jail after all these years and that's just not right. You know, and it makes, and it makes me mad that he's

sitting back letting these girls take the blame for something he knows damn well he did, you know, and I'm just, it upsets me and it gets me really angry and, so no, I more than willing to cooperate with you guys, you know, but I will have nothing to do with Centurion Ministries.

WM: Well, we know that, they talked to you on various occasions ...

MK: Uh huh. (affirmative)

WM: ... and of course you, you did talk with them and that's ...

MK: Uh huh. (affirmative)

WM: ... that's okay. We have no problem with that.

MK: Uh huh. (affirmative)

WM: Maude, what we're interested in here, of course, is the truth.

MK: Uh huh. (affirmative)

WM: Good, bad or indifferent ...

MK: Okay.

WM: ... let's talk this thing through.

MK: Okay.

WM: If it comes to a point, and I have to forewarn you of this, that if it comes to a point where you talk about something that maybe incriminates you in criminal activity I will stop you.

MK: Uh huh. (affirmative)

WM: And I will advise you formally of your Miranda Warnings, but basically you can stop answering at any time.

MK: Okay.

WM: So please keep that in mind and, and if I stop you and Mirandize you, then please pay attention to that.

MK: Okay, I will.

WM: Is that okay?

MK: Yes it is.

WM: Okay. Uh, I know it's been a long time ago, but let's go back to June of 1979, and in the late hours of June 15th or the early morning hours of June 16th, do you recall where you were?

MK: I recall drinking that night, cruising around and drinking in my car. Um, with a, a couple of different girls and those are the names of the girls that you guys already have.

WM: Go ahead a name them.

MK: Um, Sissy Atkinson was with us for a short time. Joanne Jackson and I believe Jordis was with us, you know 'cause now that time has passed, I can't really remember exactly how many girls were in my car, but those are basically the ones I remember as of now.

WM: And, okay, and what was Jordis's last name?

*Jordis is a
new one*

MK: It was Ferguson.

WM: Ferguson?

MK: Yeah.

WM: Okay.

MK: I believe Jordis was with us just for a short time, though I, I don't think she was with us, you know, too long as far as I can remember, I think she was dumped off or something, I don't remember.

WM: Okay, do you recall, uh, when, you said that Sissy was with you for awhile ...

MK: Uh, huh.

WM: ... um, do you recall when she got dropped off or when you separated from her?

MK: Yeah, we all went into um, all of us decided to go into Buckhorn Bar and get some mixed drinks. I think maybe we were looking for someone to buy for us 'cause some of us were under age, or, I can't remember if Sissy was able to buy, I, it's kind of foggy now, but we all went into the Buckhorn to order some drinks. And

uh, or buy alcohol and, um, I remember we were all standing up at the bar talking and uh, laughing around and stuff, and I just remember that when we were getting ready to go out the door everybody was like, "Where'd Sissy go?" We didn't know where she went. She never bothered to say good-bye to us or you know, let us know that she was leaving and we just never saw her again the rest of the night.

differs from King's account

WM: What time was that about, do you recall?

MK: I'm just going to take a, a guess that it was between 11 and 12, you know that's not exact, 'cause like I said it's kind of foggy, but it wasn't, it was before bar closing and again it wasn't too early either, so I'm going to say it was around midnight, I guess, 11 o'clock.

WM: Okay. And, and uh, Maude, that's perfectly okay. If you can't put a specific time or a date on something, you just tell us that.

MK: Yeah, I'm just trying to answer the best that I can, 'cause I, you know this has been a long time, but.

WM: Sure. Okay, and then uh, what vehicle were you guys driving around in?

MK: My dad had a um, he let me use it. It wasn't actually my car, it was his car, but I used to like to call it my car, um. He let me cruise it around for a couple of hours and I had to have it home by a certain time and, I, all I remember is it was green, and I don't remember the make of it. I want to think a Chevrolet, maybe. I just remember the color.

WM: Okay. Do you remember 2-door or 4-door?

MK: You know, I'm, I'm not real positive, but I would lean more towards the 4-door.

WM: Okay. Big car or small car or mid-size?

MK: It was a big car.

WM: Okay. Good. Uh, so after you, you lose Sissy basically at the bar, apparently she goes, does her own thing, wherever and whatever that might be.

MK: Uh hmm (affirmative)

WM: And then, what do you guys do?

MK: As far as I can remember we just continued cruising around, and slowly everybody just kind of, you know, got dropped off here or there and ...

WM: Were you driving Maude?

MK: I believe I was, you know that I think I was, um, gosh I remember I was drunk but I, yeah I was, the, yeah I just kind of slowly dropped everyone off somewhere, but each girl had somewhere they wanted to go, you know, our little party just kind of split up I guess, you know.

WM: Okay and then what did you eventually do?

MK: Um, I don't remember the exact time but I remember, um, some how getting hooked up with my best friend, uh, Rose Atkinson, and uh, I ended up getting in with her. And we picked up, she reminded me of this a couple of years ago, um, we were talking about this and I said, you know, where did we go, what did we do, you know, I know what we did that night because I remember going out with her, now, now its her husband Denver. His best friend was John Prescott, and so us four got together and we went up north and drank some wine and, smoked some weed, and um, I ended going out with John Prescott that night. And, um, but, at the point when I got in with her, I don't remember the exact time, but I know it was before bar closing because she said, "Don't you remember Denver was bartending that night." she said, "We picked him up, when he was done bartending."

*Denver's
story is that
Rose was bartending*

WM: Well, so, you a, you apparently talked to Rose, she said well, or maybe you got in with her and then she said something like, "Let's pick up Denver because he's going to close down the bar or quit bartending," and then you got together?

MK: It was something in that, you know something like that, I don't remember exactly word for word or how it even came about, but I just remember that you know, we ended up being with Denver, he, he was driving his truck and we all got in his truck. There's him, Rose, and then I and John Prescott were in there and we went cruising around up north of Poplar and we drank, drank some wine and smoked and then I think we came back towards town, maybe around four in the morning or something.

WM: When you got back in town then, where did you go?

MK: Um, I'm pretty sure I went home. I'm pretty sure I did.

WM: Okay.

MK: But, I don't think there was any other parties, no, I don't think there was.

WM: Maude, when you were with the rest of the girls in a, in your father's car or we can call it your car.

MK: Uh huh. (affirmative)

WM: Um, do you remember being down by the park that borders the Poplar River between Highway 2 and the train bridge?

MK: I remember us turning around down, not, not in the area where Kim was supposedly killed, but you know there was a little, there was like a little uh, dirt road that crossed over to the other side of the River and there, everybody used to flip u-turns right there. And I remember at one point that night that we pulled over there to do a pee stop and everybody jumps out to go pee and that was as close as we came to that area, but we were on the other side of that River.

WM: So, you went further East then?

MK: No, we were further West and it was like um ...

WM: Oh.

MK: ... like

WM: That's what I meant to say Maude, thank you.

MK: Yeah.

WM: You went West on Highway 2 ...

MK: Yeah, yeah

WM: ... over the bridge then?

MK: Yeah, over the bridge.

WM: And turned around down there and ...

MK: Uh huh (affirmative).

WM: ... had to stop.

MK: Uh huh (affirmative). And I remember we got scared for a minute 'cause we thought that the cops were coming in our direction 'cause we saw headlights down there and we were starting to get scared, like uh oh, throw your beers out the cops

*Someone ought
to check their
tire iron & hammer
& keys*

might be coming, you know. But we later found out, you know, couple days later that those headlights were actually around that area where people kind of had parked and partied and that was supposedly the area where Kim was, where there was headlights in that area. I remember us taking this, uh, this pit stop, you know before I had dropped everybody off and stuff and so that must have been around, I don't know, I would say around 11 ish, I don't quite recall times.

WM: Okay, that's fine. Then uh, you recall being interviewed by, by several different people in regarding this case ...

MK: Oh ...

WM: ... I'm sure

MK: ... God yes.

WM: ... starting in 1979 ...

MK: Yeah.

WM: ... by, like the local authorities, then FBI.

MK: Yeah, they came in, I worked at the Tribal Courts and they came and took a hair sample from me, my fingerprints and I was always willing to cooperate, you know, and do the best that I could to cooperate, but you know, after awhile this just gets so tiring and frustrating.

TP: I bet.

MK: I'm just ...

WM: Okay. Maude, do you remember talking to uh, Ron Kemp about this? Do you know who Ron Kemp is?

MK: Yeah, I know who he is. He's the, oh is he the Undersheriff in Wolf Point or something?

WM: Yeah, and he was an investigator for the county attorney's office at some point or ...

MK: Yeah.

WM: ... for some length of time.

MK: Yeah.

WM: And then of course, there was uh, various people from Centrion Ministries.

MK: Oh yeah.

WM: Okay. Uh, let me ask you this Maude, when did you last see Kim Nees alive?

MK: Now that I could not tell you because, you know I kind of had my own little thing going on back then. I broke up with my baby's father, and you know I didn't even pay much attention to, I'd see her cruising around, you know 'cause my parent's lived right there by the football field and that was the favorite spot for everybody to flip a u and cruise and, you know I seen her truck and stuff go by. We always waived at each other, but I don't recall a day or anything when was the last time I saw her.

WM: And you, and you said that you got along with her okay?

MK: Oh yeah, she was my good friend. She was my very good friend.

WM: Okay. Let me, I'm going to refer back to another note I have here. Please bear with me a minute. Um

MK: Um, you know what. I just remembered something.

WM: Go ahead.

MK: I got high with Kim about a week before, I think I bet you that was probably the last time I saw her. Maybe about a week before she died, um, I remember we cruised around and smoked a joint together in her truck.

WM: Okay. And that was her father's truck?

MK: Yeah, that green one yeah.

WM: Okay. About a week before?

MK: I'm going to just guess about a week. I guess it could have been maybe, you know a little bit longer, but I'm going to just guess about a week before that.

TP: Just ah, Maude, this is Tammy.

MK: Uh huh.

TP: Nice to meet you over the phone.

MK: You too.

TP: Just out of curiosity, how would you describe Kim?

MK: She was ...

TP: What was she like?

MK: She was like the sweetest, kindest girl that, that you know, it's like nobody ever had a reason to want to beat her up or want to be mean to her. She never gave you a reason to, to be mad at her. You know, she was like, she was my good friend. We visited about a lot of stuff, you know, and it's like she's, if I needed a ride to go somewhere, because I was a single Mom at 18 years old, and I still hung out with all those, you know, she was like one grade below me, but we all still hung out together and if I needed a ride, I could call her and she'd come give me and my baby a ride, you know, she was just a big hearted girl, person you know, that's what makes me mad, was like, nobody even knew, she was the kind of person that you never had a reason to want to hit someone like that and for me to be accused of that, you know, it just makes me really mad.

TP: Uh mum.

MK: I mean had I ever been in a situation where she was getting hurt, I would have stuck up for her.

WM: That's good to know Maude.

MK: And that is what makes me so mad. I would have, all those girls that was supposed to have (unintelligible) or whatever, I wasn't scare of any one of them and if I had been present and they tried to hurt her, I would have fought them. I don't know what their relationship was like with her, but I know what mine was.

TP: Uh hmm (affirmative)

WM: Maude, when did you first hear that Kim had been killed?

MK: The very next morning.

WM: From who?

MK: I believe it was my mom, 'cause I was kind of hung over and I was sleeping in late, I believe my mom came in my room and woke me up and told me something

bad had happened, and by then, you know, half the town was down there by that area and we lived right close by there and you could just see all the cars and, but we all, we also made some phones calls to each other, but I don't remember exactly who but somebody called me and told me and, we just all freaked out about it.

WM: Can, your father was a law enforcement officer wasn't he?

MK: Yeah, he's, he was one forever.

WM: Okay, is he still alive?

MK: Yeah, he is.

WM: Did you see your father that night? Was he on patrol?

MK: Mom said he was, but I never saw him because I was usually wanted to hide from him anyway.

TP: (laugh)

WM: (laugh)

MK: Because if he saw me he was going to make me go park the car if he saw who I was in with. He didn't like me hanging around those kind of girls.

WM: So you kind of avoided him that night?

MK: Yeah. We cruised on back roads and back streets and I knew that once he saw the car it was getting parked, so I, I hid from him.

WM: Okay. Did you see him though that night?

MK: I don't remember seeing him at all.

WM: Okay.

MK: In fact, I'm pretty sure I didn't see him at all.

WM: Did you ever speak to your father about where you were and what you did that night?

MK: No. I don't think he ever even asked as long as I came home, you know, and everything was okay.

WM: Yeah.

MK: Yeah, I don't think Dad even asked me anything.

WM: How do you get along with your Dad?

MK: Oh, we talk maybe once a month, um, it's kind of touchy for the two years 'cause when my Mom passed away he started dating another woman and I didn't like it, I was jealous. But we've, we've talked, like in the last couple of weeks and um, you know, and he's called me and told me about this Dateline stuff, and he just sounds real sad anymore, you know. He's just like, Dad has all this weight on his shoulders because the way I feel is that, you know my Dad always tried to do right, but being a cop he always just wanted to uphold the law and then now look at what they're doing to us. They're slandering my Dad's name, you know, and he just retired.

WM: Yeah.

MK: It just makes me really mad.

WM: Maude, every once in awhile the phone on your end kind of breaks up.

MK: Yeah, I, I know its crackling around here.

WM: Okay, would you be sure and speak clear and speak into the phone please.

MK: Yeah, I am.

WM: Okay, thank you. Hey, did your Dad ever tell you or instruct you to say anything or how to say something or has he hindered this investigation ...

MK: Never.

WM: ... in any way?

MK: Never at all. Never.

WM: Well, Maude there's reasons for all the questions we're, we're asking because there's, there's been a lot of comments by various people about various scenarios or thoughts or ...

MK: Yeah

WM: ... rumors and what have you ...

MK: Yeah.

WM: ... so, uh, please bear with me on some of these questions. Now, in, in 2004 apparently Ron Kemp found you in Poplar or Wolf Point and, and talked to you about the Kim Nees matter.

MK: Yeah.

WM: And, apparently you said to him, now what we've got is not a like a recorded, transcribed statement or a hand-written statement from you, it is uh, basically a type-written uh, message from Ron Kemp consisting of what he learned from you. So it's his words basically, rather than yours, and I, we'd like to clarify exactly what you said to Kemp. Um, do you recall something about the possibility of Kim Nees being lured down to the river or near the river by someone?

MK: I don't recall that. I don't know.

WM: Do you recall saying anything about Kim being lured down there by a female?

MK: No, I don't recall that, but you know that was kind of like speculation that went around. Back home, I mean everybody was just trying to get their two cents in there and try to figure out how this person got her down there, and I think people just speculated on that. I don't recall, you know, that anybody told me that, or, or that I even said that. I don't recall.

WM: Is it something that you could have said though that you heard, or was speculating that ...

MK: You know I might, I might have told um Mr. Kemp that I had heard that ...

WM: Okay.

MK: ... you know, but, I don't really exactly recall.

WM: Okay. Do you recall speaking about possibly blacking out or blocking out your memory?

MK: No.

WM: How drunk were you that night?

MK: Um, I wasn't blacked out.

WM: Did you pass out at any time.

MK: No, no I never did pass out.

WM: Do, do you remember where you were in time and space that night? I know, you know, you're saying you might have been intoxicated or whatever ...

MK: Uh huh. (affirmative)

WM: ... but, were you intoxicated to the point that you didn't recall where you were or what you did?

MK: No, no. I was aware of my actions that whole night. I mean there was never a point where I was so intoxicated I didn't know what I was doing or I blacked out or anything, no.

WM: Okay. Do you recall telling anyone that you lured Kim Nees there?

MK: Absolutely not, no.

WM: Okay, do you recall - I'm going to make a note of that, just a minute please. Then, do you recall telling anyone that you kicked Kim one or twice in the head?

MK: Absolutely not, that's not true.

WM: Why would a person like Judy Greyhawk say something like that?

MK: Well there's a long history between me and Judy Greyhawk.

WM: Well I gathered that, but is that something that was maybe just bad blood between the two of you that she might say something like that of you?

MK: Yes, we have had 50 run-ins, I mean she is my sister-in-law and, her and her sister jumped me years ago and both beat the crap out of me and my husband turned around, you know, beat up her brother-in-law, I mean there's been a family feud between us from the beginning of time.

WM: Can, speaking of your husband, are you, are you talking about Dana?

MK: Yes.

WM: Okay, do you recall ever telling Dana that you knew about this incident or were present when Kim Nees was killed?

Dana never called CM

MK: No. My husband started making this up when I left him for a younger man and he started calling Centurion Ministries and, saying that he wanted, when I confronted him about it he told me he just wanted to get me put away for awhile and make me sit somewhere so I would need him and I, I'd have to call him and he would get an attorney and get me out. He wanted to come and rescue me so I would have, you know feel like I needed to go back to him and I wouldn't do that. I just wanted nothing more to do with my husband and I didn't trust him anymore.

WM: So, he was using Centurion Ministries

MK: Yes, he was and my 22-year-old daughter and my 24-year-old daughter can tell you guys the same thing because they know their father was doing that to be spiteful.

WM: What are their names?

MK: Deyna Kim.

WM: Know, I mean what is your children's names that were aware of him doing this?

MK: My oldest daughter's name is Deyna D-E-Y-N-A.

WM: D-E-Y

MK: N-A.

WM: (laughs) I thought you said Dana.

MK: It is Deyna, but it's spelled different.

WM: Okay. Alright. And then, where does she live?

MK: She lives down here in Denver. She lives in an um, apartment across town from me.

WM: Okay. And who else did you mention?

MK: Cory Kim. C-O-R-Y. That's my other daughter.

WM: Okay. And where's Cory at?

MK: Cory lives with her boyfriend across town also.

WM: Down there in Denver?

MK: Yeah.

WM: Boy, you, everybody went to Denver then.

MK: Yeah, we came down, they all followed me. I was like the Pied Piper. We all came down here and fell in love with Denver and I don't want to leave now.
(laughs)

WM: Okay. Well, that's cool. Uh, if we find it necessary to make contact with them, we'll, we'll make contact with you to get phone numbers and such.

MK: Okay.

WM: And that may be a possibility once we evaluate your information here.

MK: Okay.

WM: Say, during this whole thing did, did everyone ever make an appointment for a polygraph for you. I know that somebody talked to you about whether you would consent to a polygraph and apparently you said, "Yeah, I'll take one." But, did anybody ever contact you and say okay, today's the day, or next Tuesday, or whatever.

MK: No, nobody's ever done that. Um, Ron Kemp said he was going to get back in touch with me and then he just never did.

WM: Okay.

TP: Is that something you were always willing to do?

MK: Yeah, I was always willing to do it back then when I talked to Ron Kemp ...

TP: Uh hmm (affirmative).

MK: ... but now with all this media attention ...

TP: Uh hmm (affirmative)

MK: ... and all this publicity and now I'm skeptical to because I'm just starting to feel like, you know this is all just, it's, it's just becoming out of hand for me.

TP: Right.

WM: Maude, I know you've talked about your relationship and what you thought of Kim Nees...

MK: Uh huh.

WM: ... but please bear with me on these questions. These are things that we want to know the truth to. So, and they, it might seem odd for me to ask you this, but it's necessary from an investigators stand-point. I want to ask you, did you ever hit Kim Nees?

MK: Never.

WM: Did you ever kick Kim Nees?

MK: Never.

WM: Were you present when anyone else ever kicked or hurt Kim Nees?

MK: No, I wasn't.

WM: Do you know who killed Kim Nees?

MK: No, I don't.

WM: When were you first contacted by law enforcement after Kim, after you learned of Kim Nees's death?

MK: I don't even exactly recall. It's been so long I don't remember. But I do remember one of the main times that stuck out in my head was when I worked with the Tribal Courts in Poplar, um, one of the FBI guys came down with uh, Tim Smith was an investigator then. So I don't know what time-frame that was, but I'm, I worked at Tribal Courts 1986-1987.

WM: So that, that would have been some time after the ...

MK: Yeah

WM: ... the occurrence?

MK: Yeah. It wasn't immediately after.

WM: Okay. Maude, have you told the truth to authorities and other investigators during this thing?

MK: Yes, I have.

WM: Can you think of anything that you might have embellished on or not told the truth about?

MK: No. I've been as truthful as I can possibly be as far as my memory, you know, let's me remember. I mean anything that I can recall I've told.

WM: Did you ever withhold anything? Is there anything that you know about any of this that we should know?

MK: Absolutely not. I would have told you guys.

WM: Do you know who Calvin First was?

MK: Yes, I do.

WM: Or is?

MK: Yes.

WM: And did you know him as a Tribal Police Office.

MK: I know who he was, yes.

WM: Okay. Did you see him that night?

MK: No, I didn't.

WM: Do you know Barry Beach?

MK: I know who he is but I've never spoke to him.

WM: You never spoke to him ever?

MK: Never in my life, I've never spoke to him. I was friends with his brother Brad though.

TP: Did you know anything about Barry? Just, you know his general reputation –

MK: What I got - gathered from him was that he was a very handsome guy and this is back in the days, he isn't any more I guess. Um, he was quite the lady's man I guess you know a lot of girls wanted to go out with him. I mean I thought he was

real good looking but I, I was never in a position where I was ever around him or I ever spoke to him or he ever spoke to me.

WM: Do – did you ever talk to Kim Nees about him?

MK: No, never.

WM: Did she ever tell you what she thought of him?

MK: No, we – I don't remember ever talking about Barry to anybody, he was just somebody that you know you saw on the street and never did ah, have any reason to talk to him or about him or anything.

WM: Okay, did ah, did you say he was older than you or younger?

MK: I think he's younger than me. I'm gonna say he's a couple of years younger.

WM: Okay. Do you remember a lady named Janice White Eagle?

MK: Yeah. Yeah, she was my neighbor.

WM: Did you ever talk to her about this Kim Nees deal?

MK: I don't recall ever talking to her.

WM: Do you recall telling her any specifics about ah, the Kim Nees homicide or where you were or what you were doing that night?

MK: I don't remember because I took a lot of breaks at the Indian House Service, I worked with Janice and I don't recall exactly every conversation 'cause we've have a lot of conversations. She was also my neighbor and I don't remember.

WM: Okay. That's okay, if you don't remember that's a good answer. Like I said, we're only interested in the truth Maude so ...

MK: Yes

WM: ... ah, if, if, if you don't know, 'I don't know' is a perfectly good answer.

MK: Okay.

WM: Ah, again, is there anything else that you think we should know regarding this matter?

MK: There's nothing I can think of and you know I, I've thought about all of this over and over and I – there's nothing more that I can add.

WM: Okay. Do you have any specific knowledge that would lead to the guilt or innocence of Barry Beach in this thing? Do you know anything about this matter that would demonstrate that Beach killed Kim Nees?

MK: No, the only thing that comes to mind when I hear his name is I remember a lot of people from back home went to his trial in Glasgow and I – I'll never forget that when he walked into the courtroom he had a smirk on his face, a little smile and he nodded his head to one of his friends from Poplar and they both nodded their head at each other and to me that made me really mad that he could walk into a courtroom all smug and smirk and he thought it was cute. And I just remember that always just stuck out in my head.

WM: So did you attend the trial?

MK: Yes, I did.

WM: Did you listen to a lot of testimony?

MK: We only went that first – I don't know how many days it lasted or that or if it even lasted more than a day, I just remember going and I'm thinking I was only there maybe a half a day cause it was so crowded there was no, you know hardly room for people to sit, it was real uncomfortable.

WM: So you probably didn't hear all the testimony in the trial?

MK: No, no I didn't.

WM: Okay, did you go to Kim Nees' funeral?

MK: Yes, I did.

WM: Who did you go with?

MK: You know, I might have went by myself, I think I don't really remember, I think I did go by myself but I remember that the church was so packed that there was no room, I mean people were standing outside in a line and stuff and – and then I didn't, we, after it was over with I remember after the services, everybody went to her parents house up on the hill and I went up there too.

WM: Did you see Beach at the funeral?

MK: Um, I don't think so but I didn't look for him, he was somebody I didn't notice either, you know.

WM: So you can't say whether he was at the house afterwards or not either?

MK: Yeah, I don't – I really don't know 'cause there was a lot of people there and people were coming and going and I don't remember seeing him.

WM: Did you ever talk to Beach about this thing?

MK: I've never talked to Barry Beach in my life.

WM: Okay. I remember that answer before. I'm sorry. Okay. Anything come to mind Maude that we should know?

MK: No. Nope that was the only thing that stuck out in my head about Barry.

WM: Okay. Okay. Mike, do you have any questions?

MW: No, I, I don't have anything Maude.

MK: Okay.

WM: Tammy, do you have any questions?

TP: I have a couple of questions. I'm wondering Maude if you remember where you were living in the spring of 2004?

MK: 4 – Well, in May of 2004 I moved from Poplar to Denver.

TP: That's when you moved to Denver?

MK: Yeah.

TP: Okay. Um, and when, when, when we were talking about your activities that night, the night that Kim was killed.

MK: Mmm mm (affirmative)

TP: And you mentioned your best friend?

MK: Mmm mm (affirmative)

TP: And her name is Rose ...

MK: Yes.

TP: ... and where does she live now?

MK: She's the business manager at the Fort Peck Community College in Poplar.

TP: Okay, and what's – is – does she have a married name?

MK: That is her married name, Atkinson.

TP: Atkinson

MK: Her maiden name is Failing.

TP: Okay. And is – did you say she was married to ...

MK: Denver

TP: That's who you were with that night.

MK: Yeah.

TP: Okay. Um –

WM: I didn't, I didn't write down where Rose works, could you repeat that please Maude?

MK: She is the business manager at the Fort Peck Community College.

TP: She – had - do you know has Centurion Ministries been in touch with her too?

MK: Oh, gosh yes, they've been in touch with everybody you can think of.

TP: Yeah, okay.

WM: Say Maude, there's another Atkinson that was listed in this thing, JD Atkinson.

MK: Ah, I don't know anything about that guy. All I know is he's in prison with Barry right now, in Deer Lodge.

WM: You, you don't know J – JD?

MK: I know who he is.

WM: Okay. Did you ever talk to him about this?

MK: I've never talked to JD more than twice in my entire life. I don't really know him at all.

WM: Okay. All right, anything come to mind Maude that you think we need to talk about?

MK: No, not at all but if something does come to mind that I think is important, I won't hesitate to call you guys.

WM: Okay, that'd be wonderful. Do you have Mike Wellenstein's number?

MK: Yes, I do.

WM: And let me tell you this, we're gonna be on the road for a few days ...

MK: Mmm mm (affirmative)

WM: ... and we're gonna be trying to locate some people in various places but I was going to ask you if, if we need to, can we call you back about anything that may cause a question?

MK: No, don't - yeah, call me back I'm, I don't mind cooperating with you people, I just, like I said, I've always wanted to cooperate I just don't want to have anything to do with Centurion Ministries is all.

WM: And I can understand that, I - it appears that that the reason being was like you said that they seem to twist and turn things that you were saying or tried to say.

MK: Mmm mm (affirmative) exactly.

we point out inconsistencies and ask for details

WM: And that somehow those, those twists and turns that they created got back to you.

MK: Yeah, they did.

WM: Okay.

TP: Do, do you - just out of curiosity, I want to give you this opportunity to, to say how you feel about this - um, do you feel um - how do you feel about Centurion Ministries how they've gone about investigating this matter?

MK: The way I look at it is they went to a very small town, where a lot of Indian people are jealous of Indian - other Indian people once they live a better lifestyle then

they are and if you're one of the lucky people who gets to leave the reservation and are fortunate enough to stay away from there, they don't like it. Nobody wants to see anybody do anything better and one of the things I'm upset about is that when I left my husband, he did everything he could to get me in trouble – he used to call the FBI, tell them that I was selling drugs in Poplar, tell them the make of my car, um, he laughed one time and told me when I came back from my trip to Billings with my boyfriend that - I'm surprised the cops didn't stop you and frisk you, he said I called ah, Forsyth, I called Miles City and give them a description of your car and told them you were transporting drugs and then you know we had this conversation and I was crying and I remember saying, why would you do this to me Dana? And he said I want you to need me – and this was even after you know he did this to me he started called Centurion Ministries and telling them my wife knows something, she told me something and so they started coming and looking for me in Poplar and he did everything he could, he was really desperate to get me to go back to be with him and I wouldn't do it and you know I, I blame a lot of this on him. And ah, I – we discussed it I and my daughters, and they're like, "Mom, dad was just so desperate you know you hurt him really bad and he just, he didn't know what to do he wasn't going to let go. But the way I feel about Centurion Ministries is they just grabbed some gossip in a really small town and they just ran with it and it just went amuck and now there's hundreds of people involved.

WM: Sure appears that way.

MK: And I just think that they could have conducted their investigation a little more professionally rather than, you know go around and encourage people to call each other down.

TP: Mmm mm (affirmative)

WM: Maude, Dana was the victim of the homicide as well, wasn't he?

MK: Yes, he was.

WM: And did that homicide have anything to do with him talking badly of you ...

MK: Absolutely not.

WM: ... or trying to set you up?

MK: Absolutely not, because even though we had bad blood towards each other and, and he was still the father of four of my children, and I still did love him, I just didn't love him the way that a wife is supposed to love her husband.

WM: And ...

MK: You know I would have never wished anything bad on Dana.

WM: And his death wasn't the result of him talking to Centurion Ministries?

MK: Absolutely not, no.

WM: It was for other reasons?

MK: It was between him and my boyfriend and there – there had been several fights prior to his homicide between the two of them.

WM: And did, did your boyfriend have other reasons other than the, the Barry Beach case or the Kim Nees homicide ah, to fight with Dana?

MK: My boyfriend never had any reason to fight with Dana, Dana chose to fight my boyfriend.

WM: Okay, I'm that's – thank you for correcting me, but when they fought, was it for other reasons?

MK: Yeah, they fought because you know; they had fought a couple of weeks before that and they felt it was unfinished and my boyfriend actually tried to run away from my husband and begged him to leave him alone.

WM: How did that ah, how did it come to pass that ah, your boyfriend was eventually imprisoned for that, did he pled guilty or did he go to trial or what?

MK: Yeah, he took a plea.

WM: Okay, okay. So he had, he had made admissions then that ...

MK: Yeah

WM: ... he did what he did.

MK: Yeah,

WM: Okay.

MK: Um, actually it was – you know he got 41 months and he's out now, he's lives with me but um, he got 41 months because in a way it was self-defense, because I had a permanent restraining order on my husband and he walked into my house

and punched my boyfriend and my boyfriend tried to flee from him and, and begged him to leave him alone and he wouldn't do it.

WM: So it went bad there on the scene?

MK: Yeah, it went bad out on the street and that's where it happened is out on the street and, and the judge took consideration of all my medical records, I had ah, probably three inches of medical records in my, in my chart at the emergency room where my husband had broken my nose ten times, I've had five back surgeries, I've had a concussion. My husband was very physically abusive.

WM: Well Maude, thank you again for speaking with us.

MK: Mmm mm (affirmative)

WM: And if you have any questions or comments or if you feel like somebody is harassing you at any point.

MK: Mmm mm (affirmative)

WM: Um, please feel free to call.

MK: All right.

WM: And we'll ah, we'll see if we can be of assistance to you, I don't know how that may be but ...

MK: Mmm mm (affirmative)

WM: ... if ah, if anybody calls you and, and ah, harasses you, please, please get in touch with us.

MK: I will do that.

WM: Okay.

TP: Maude, thank you so much for your cooperation.

MK: And thanks you guys too. I'm, I appreciate you guys be professional with me rather than dealing with someone like the people we was talking to. So thank you, if I think of anything I will call you guys.

MW: All right Maude

WM: Thank you.

MW: Bye, bye

WM: Bye, bye.