

BEFORE THE BOARD OF PARDONS & PAROLE  
STATE OF MONTANA DEPARTMENT OF CORRECTIONS

---

IN THE MATTER OF:

BARRY ALAN BEACH

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**TRANSCRIPT OF EXECUTIVE CLEMENCY HEARING**

VOLUME III

Heard at Montana State Prison

500 Conley Lake Road

Deer Lodge, Montana

June 15, 2007

8:03 a.m.



**NORDHAGEN COURT REPORTING**

**JONNY NORDHAGEN**

1734 Harrison Avenue  
Butte, Montana 59701  
(406) 494-2083

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*Court Reporter  
Conference Room  
1734 Harrison Avenue*



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REPORTED BY: CHERYL ROMSA  
CHERYL ROMSA COURT REPORTING  
P. O. BOX 1278  
HELENA, MONTANA 59624  
(406) 449-6380

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APPEARANCES

ON BEHALF OF THE STATE OF MONTANA:  
MICHAEL WELLENSTEIN  
TAMMY PLUBELL  
Montana Attorney General's Office  
215 North Sanders  
P.O. Box 201401  
Helena, Montana 59620-1401

ON BEHALF OF BARRY ALAN BEACH:  
PETER CAMIEL  
Attorney at Law  
Mair & Camiel  
710 Cherry Street  
Seattle, Washington 98104

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1 WHEREUPON, the following proceedings were had:  
2 CHAIR McCANN O'CONNOR: We will come to order.  
3 We will note for the record that attorneys for both the  
4 Attorney General and Centurion Ministries are present.  
5 Mr. Camiel, you may call your witness.  
6 MR. CAMIEL: Thank you.  
7 Barry Beach.  
8 (The witness was sworn.)  
9 CHAIR McCANN O'CONNOR: You may proceed.  
10 BARRY ALAN BEACH,  
11 a witness, having been first duly sworn, testified upon  
12 his oath as follows:  
13 DIRECT EXAMINATION  
14 BY MR. CAMIEL:  
15 Q. Barry, before we get started with my direct  
16 questions, you told me that you wanted to say something to  
17 the Board as we start.  
18 A. Yes, sir.  
19 I'd like to -- you know, it's kind of hard for me to  
20 say, but not because it's not that I don't mean it. I've  
21 been in this prison for 24 years, and I understand how  
22 extraordinary this hearing is, and I want to thank the  
23 parole board members for giving me this chance to come  
24 here today and tell you face-to-face I did not kill  
25 Kim Nees.

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1 Not only that, but the family of the victim, it's the  
2 first time in 28 years as of today that they've had the  
3 chance to hear some of the truth that they've heard here  
4 this week. They've never heard some of this information  
5 before. The people from Poplar, a lot of them didn't even  
6 know me, and yet, they traveled all the way over here to  
7 see me and you people and to tell you what they have to  
8 say.

9 The attorney general's office, the prison  
10 administration, I understand how extraordinary this, and I  
11 don't take none of this lightly. I don't disrespect  
12 anything that has happened here these last couple days,  
13 and I just want to thank you for this opportunity and  
14 thank the prison administration for allowing it to take  
15 place like this.

16 CHAIR McCANN O'CONNOR: Very well.  
17 You may proceed.

18 **Q. (By Mr. Camiel) Barry, how old are you?**

19 A. I'm 45 years old.

20 **Q. In 1979, where were you living?**

21 A. In 1979, I was living in Poplar, Montana.

22 **Q. And how old were you in June of 1979?**

23 A. In June of 1979, I was 17 years old.

24 **Q. Were you attending Poplar High School?**

25 A. Actually, I was a junior in Poplar High School.

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1 **Q. And -- and back then, where did you and your  
2 family live in Poplar?**

3 A. We actually lived on what they called The Hill.  
4 And in Poplar, Montana, if you were going down Highway  
5 No. 2 headed east from the high school and took a right,  
6 you'd go all the way to the end of that street, and there  
7 was a hill that was actually a cliff. We lived right up  
8 on the top of that hill in a corner house on that main  
9 street.

10 **Q. Did you live near Kim Nees and her family?**

11 A. Yes. We actually lived about -- I would say  
12 there was probably six houses between us and Kim Nees.  
13 Directly next to our house was Kim Nees's uncle and aunt  
14 and cousins, then there were a couple houses, including  
15 the Norgaard house, and then on the other side of the  
16 Norgaard house was the Nees house.

17 **Q. And did you know Kim and her family members as  
18 you were growing up as a boy?**

19 A. Yes. We all grew up together playing on the same  
20 block, playing kick-the-can and other, you know, child  
21 games as we were kids. We all grew up together.

22 **Q. Barry, in 1979, you're 17 years old. What -- how  
23 big were you then? What was your height and weight?**

24 A. At that time, I believe I was about 5'8", and if  
25 I'm not mistaken, I weighed probably about 155 pounds,

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1 145 pounds.

2 **Q. Who lived in your house with you?**

3 A. There was my mother, my stepfather, Silas  
4 Clincher, myself, my sister Barb, and my brother Brad.

5 **Q. Now, in June of '79, school had just let out.**

6 **Did you have any plans for the summer?**

7 A. Yes. In fact, not only did I have plans for the  
8 summer, but just before school got out, I made  
9 arrangements with a local farmer by the name of  
10 Jim Wolaconis (phonetic) to actually go to work for him to  
11 earn some money in preparation for my trip to Louisiana.  
12 And my plans were to return to Louisiana and actually live  
13 with my father, Bob Beach, which was the first time in my  
14 entire life that I actually would have lived with my  
15 father, and that was at the age of 17.

16 **Q. Did you -- did you own a vehicle then?**

17 A. At that time, I owned a 1970 Ford Ranchero. It  
18 was a blue Ford Ranchero.

19 **Q. How did you plan to get down to Louisiana to stay  
20 with your father?**

21 A. I actually was going to trade the Ford Ranchero  
22 in, and I'd already been to the Ford garage in Poplar,  
23 Montana, and made arrangements to purchase a car from them  
24 with that Ford Ranchero. I knew the Ranchero wouldn't  
25 make that type of a trip, so I needed a better vehicle to

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1 do that.

2 **Q. So in the days before June 15th after school let  
3 out, had you been working?**

4 A. Yes. I actually spent three weeks working for  
5 the Wolaconis family doing summer fallowing and other  
6 farming chores around their farm to earn money for this  
7 trip.

8 **Q. I want to take you back now to June 15th of 1979,  
9 and I'd like you to walk us through your day, starting in  
10 the morning, if you could.**

11 A. I'd actually come in from the Wolaconis farm  
12 about two days prior to that and had been doing a lot of  
13 partying out all night and stuff. But I still, I woke up  
14 about 9 o'clock on the morning of June 15th, I believe it  
15 was, about 9. I got up, I ate some breakfast, and I  
16 actually went swimming down at a place called Dago Bend in  
17 my Ford Ranchero. I was by myself when I went down there,  
18 but there were some other kids down there when I got down  
19 there, and we actually swam around and played for, I don't  
20 know, a couple hours, two to three hours down there at  
21 Dago Bend.

22 And then on the way back from Dago Bend, and I don't  
23 know from whom or where, but somewhere, I actually picked  
24 up some beer, some Budweiser and went back to my house.  
25 And I called a friend of mine by the name of Caleb Gorneau

2 (Pages 819 to 822)