

## Schweitzer sends letter in support of Barry Beach

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**HELENA** — Former Gov. Brian Schweitzer has added his support to Barry Beach's ongoing quest for freedom.

Schweitzer on Thursday sent a letter to the Montana Board of Pardons and Parole recommending the board grant Beach clemency and parole him.

"Having observed Mr. Beach's efforts at achieving his release from prison for almost a decade now, I believe he should not be incarcerated," Schweitzer wrote.

Schweitzer joins Sen. Jon Tester and former Sen. Conrad Burns and more than 200 other people who sent letters to the board seeking Beach's release.

Beach was convicted of the 1979 murder of Poplar teen Kimberly Nees after he gave a jailhouse confession to Louisiana investigators he has since maintained was false. No physical evidence tied Beach to the crime and new evidence surfaced over the years connecting a group of girls to the murder.

Beach, who is serving a 100-year without parole sentence at Montana State Prison in Deer Lodge, first appealed to Schweitzer in 2006 asking for executive clemency but was denied by the Montana Board of Pardons and Parole.

Beach spent 18 months as a free man after a Fergus County judge vacated his conviction in 2011 and ordered a new trial based on new evidence. In May after the Supreme Court overruled the lower court's decision and Beach returned to Deer Lodge to serve out the remainder of his sentence.

Now Beach is asking the Montana Board of Pardons and Parole to free him, but this time he's not asking them to declare him innocent of the crime. Instead, Beach and his supporters say Beach's 100-year no-parole sentence was too harsh for a crime that was committed at time when Beach was a juvenile. They point to recent U.S. Supreme Court rulings that say juveniles cannot be sentenced to death or life without parole.

Schweitzer addressed that point in his letter Thursday:

"I believe that there has always been sufficient doubt as to his culpability so that the sentence he received is disproportionately severe, excessive, and simply unnecessary," Schweitzer wrote. "He has now served 30 years, and does not need to be incarcerated further."