

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
WESTERN DIVISION

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UNITED STATES OF AMERICA,

CR08-50079

Plaintiff,

v.

JOHN GRAHAM aka JOHN BOY  
PATTON, and VINE RICHARD  
MARSHALL aka RICHARD VINE  
MARSHALL aka DICK MARSHALL,

Defendants.

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**UNITED STATES' SUPPLEMENTAL  
RESPONSE TO DEFENDANT  
MARSHALL'S MOTION IN LIMINE  
#2 RE: MARSHALL'S STATEMENT**

COMES NOW the United States of America, by and through United States Attorney Marty J. Jackley and Assistant United States Attorney Robert A. Mandel, and respectfully files its Supplemental Response to Defendant Marshall's Motion in Limine #2. Pursuant to the Court's request, the United States is submitting the revised transcript of the interview between Serle Chapman and Dick Marshall of July 27, 2001. See Exhibit 1 (revised transcript taken from enhanced disk filed by Defendant Marshall). The United States is also attaching the redacted transcript for the excerpt it intends to play at jury trial. See Exhibit 2.

It is the United States' position that Defendant Marshall's statements are non-hearsay and admissible pursuant to Fed. R. Evid. 801(d)(2)(A).

Furthermore, Defendant Marshall's statements are admissible as statements

against interest pursuant to Fed. R. Evid. 804(b)(3). With respect to Defendant Marshall's specific challenge in relation to the transcript, the following revision has been made:

SC: . . . have said, so they were telling it right?

DM: ~~Yeah~~. Mm hm. But like I say I can't remember who those guys were you know because they were youngsters, there were a lot of people in and out of my (~~inaudible~~) camp.

See Exhibit 1 at p. 15. Whether or not the recording reflects Defendant Marshall's affirmative response of "mm, hm," "yeah," or "yes," at best goes directly to the weight of the evidence, and not its admissibility. Accordingly, Defendant's Motion in Limine should be denied in its entirety.

Dated and electronically filed this 28th day of May 2009.

MARTY J. JACKLEY  
United States Attorney



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### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies on May 28, 2009, a true and correct copy of the foregoing was served upon the following person(s), by placing the same in the service indicated, addressed as follows:

John R. Murphy  
Dana Hanna

- U.S. Mail, postage prepaid
- Hand Delivery
- Facsimile at
- Federal Express
- Electronic Case Filing



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Marty J. Jackley

This is Serle Chapman. It is Friday, 27th of July, 2001, about to visit with Dick Marshall in regard to the murder of Anna Mae Pictou Aquash at the Alex Johnson Hotel, Room 918.

DM: Good timing (inaudible).

SC: Eh, excellent timing, how's it going buddy.

DM: All right.

SC: Good to see you again.

SC: You too.

DM: Yeah I had to be at the Sundance.

SC: Uh.

DM: (inaudible).

SC: I got us a room here.

DM: (inaudible).

SC: Where did you dance?

DM: What's that?

SC: Whose place?

DM: Rick Two Dogs.

SC: Ah.

DM: Yeah, I like going to his Sundance. Pretty strong . . . right.

DM: (inaudible).

SC: Yeah. Yeah . . . (inaudible) Wilmer's got his going on.

DM: Yeah, I thought I'd stop in on the way, way back, way back home tonight..

SC: (inaudible).

DM: (inaudible).

SC: All I said was go the other one. (Inaudible). All three (inaudible)?

DM: So. When'd 'ya get to town?

SC: Ah, geez, ah, couple of days back.

DM: Oh, is that right?

SC: Yeah, the only contact I have for you is like through Karen Testerman remember that? That, ah, that lady, at her address. I know that she got that magazine, you know (inaudible) at her address (inaudible) . . .

DM: . . . she finally got a better address . . .there were a lot of things that she didn't get back to me. She even stole my address book.

SC: Oh, really?

DM: I had a falling out with her, I guess. She's worse than my parole officer, man (laughs) (inaudible) ask who was calling, and where I was going, how long I was going to be there, and how come I didn't come back and all that. I couldn't put up with that.

SC: I've been trying to find out where in the hell you were and then I thought. . . I remembered Black Hawk.

DM: Really?(inaudible) yeah, (inaudible) in Black Hawk.

SC: Furniture shop in, Black Hawk, so I thought I'd give that a try and then I thought, well, I don't wanna get into any difficulty you know, but if I called you at that place and then I talked to that lady and, that answered the phone there . . .

DM: Yeah.

SC: And she said ah, no, it'll be fine. Get some privacy in here a little bit. Okay.

DM: Is this the book you were talking about?

SC: Yeah, that's for you anyways.

DM: Oh, really? "Of Earth and Elders."

SC: Now, let's try this.

DM: You know what, I seen this in an ad someplace (Inaudible).

SC: Oh, really?

DM: Yeah.

SC: God damn, security or what? Huh?

DM: (laughter).

SC: Ah, shit. Yeah, that's the last one I did.

DM: Is that right?

SC: Yeah.

DM: Yeah, I seen this in an ad some place.

SC: So I wanted to give you that . . .

DM: Thanks, man, I appreciate that.

SC: . . . while I was here and . . .

DM: (inaudible).

SC: Want a drink of this stuff?

DM: What's that?

SC: Want a drink?

DM: Yeah I'm dying of thirst. I just got off work. I had to run here and there.

SC: Ah, find a, something (inaudible) . . . Yeah I was gonna send it to that address, but I'm kinda glad I didn't then.

DM: Yeah, good thing you didn't. But, ah, I got news for you too. I'm moving out of this town.

SC: Oh, really?

DM: My parole officer gave me the green light to go ahead and move back down home to Pine Ridge.

SC: Oh, all right.

DM: And I just recently got married here, June 2nd.

SC: Well, I kinda found that out.

DM: Did 'ya?

SC: Yeah. Can't remember the lady's name now but, uh, Brewer,

DM: Yeah.

SC: maybe?

DM: Yeah. Yeah. The lady's name is Frieda Brewer. We've been shacking up for a while.

SC: Is she up here or down?

DM: She's from down there.

SC: No, I'm kinda glad that we got . . .

DM: . . . . You better sign this for me.

SC: All right. (Inaudible) signature on there and all righty. Yeah, so I've been requesting Ito move back about 3 months ago. But what it boiled down to was that parole officer out of Winner, South Dakota, that oversees the state parolees on the Rosebud and Pine Ridge Reservations. Yeah, see, I had her before when I was out twice on parole. Both times I messed up. They kinda had it in for me, you know.

SC: You must be anxious to get back down there?

DM: Yeah. Gotta better paying job and my wife lives down there plus I own land down there. So, I'm gonna build myself a log home on my land.

SC: I mean I tried to contact you, too, at Hope Lodge.

DM: Yeah?

SC: But they weren't real

DM: Cooperative, huh? Yeah. The people that work up there, the staff, are just as dysfunctional as the patients, I think. I go up there for AA meetings sometimes and pour water for the occasional sweat.

SC: Uh, I said something up there, as far as I knew you, you like helped out up there?

DM: Yeah.

SC: Boy, man, they were rude. Because I thought well maybe they don't know who you are or . . .

DM: Uh, uh.

SC: . . . something, you, know, and I said well, he was there, she said he's not here and I says well, I knew that he helped out at ceremonies and she said he's not here, and I went, whoa . . .

DM: Really?

SC: Yeah.

DM: Hey.

SC: A couple of times.

DM: Yeah.

SC: You , know, but, uh, . . . I wanted to check a few things out with you because since we met I spoke to a number of other people and that's why I don't wanna do this as an interview, as part of the interview . . .

DM: Yeah.

SC: But you appreciate it from my point of view, um, writing this thing. I don't, I gotta tell it like it is. But, there, ah, may be one or two things that I don't necessarily need to include, if you see what I'm saying. And, but I need to know what, what the deal is, in order to do that, so that I can figure out a way of doing it without screwing anybody over, but still telling the truth of the matter. So . . .

DM: Um.

SC: Um, that interview that we have already done, do you remember Sarah, you met Sarah at that time?

DM: Um, um.

SC: She's actually getting the transcripts out now so if you can give me an address before we split today and I can get it mailed on down to you.

DM: Good.

SC: And . . .

DM: And this you are gonna let me proofread . . .

SC: Oh yeah.

DM: . . . . add to or . . . .

SC: Yeah, delete or take away or whatever. So, I'll just mail it to you and then either we can meet up and you can give me it back with your changes, or just mail it back to me.

DM: Give me your address and I'll give you mine. Where's your . . .

SC: Okay.

DM: . . . . pen and . . . . Yeah, I'm pretty fortunate that the, the parole officer here in town and Joe Hawk out of Winner, guess, ah, Hawk had, ah, told, ah, my significant other, my new wife, and her relative, that, um, , in a roundabout way I guess, uh, Hawk had told, uh Brian Robb, my parole officer here in town, he says, uh, I gotta let you know, he says, your client, Richard Marshall, he said, he's got a lot of political pull. And that's I got a buddy that's a state senator out of Rosebud, named Paul Valandra.

SC: Um, um.

DM: I, at one time here, about four months back, had told him, I asked him, I said hey, I might be needing your help and he said what's going on. So I said, I got two parole officers jacking me around. I said, uh, I wanna move home and they're running me around. I said let me check things out, I said June, from June 15th I'd be out a whole year, I said. After June 15th, I said I'll contact you. Nothing happened so I just said OK. I didn't contact him but, uh, he and Sharon must've did something, he and Sharon must've did something cuz, uh, he told me that uh, that they're not helping you like they are supposed to. You want to go to a better paying job, you wanna be with your wife, want to move home to your own rez. He said let me know and I said manage. . . (inaudible).

SC: Ah.

DM: (inaudible) my buddy Paul Valandra must have mentioned

SC: I seem to remember when we were talking about it. You said something like you couldn't go down to the rez for a year or . . .

DM: June 15th it's a full year since I was released from Springfield. Another reason I wanna get outta this town. I hate this traffic. I'm kinda like a wide open area kinda guy . . .

SC: Um.

DM: . . . you know.

DM: Plus I'm tired of running into a lot of ex-cons and, uh, finding out, somehow, finding my phone number, calling me up and asking me why (inaudible) I kind of like to stick to myself.

SC: Um, um.

DM: You know given a choice.

SC: You're better off down there than up here.

DM: Mm Hmm. Can't imagine not . . . (inaudible).

SC: Um, um.

DM: Today's my last day of work at the Visionary Lodging (inaudible).

SC: Why?

DM: I've been there over a year.

SC: If I'd of had my coffee there I'd never of found you probably.

DM: No, it's a hard place to find me. . . (inaudible) out to Black Hawk.

SC: Well, I used to live in Black Hawk when I was a boy (inaudible) like before

DM: Oh, yeah. But,

SC: But since I've seen you last, um, I've been on the road nearly all the time.

DM: Um, um.

SC: Cuz I've got another book that's coming out like November . . .

DM: Um, um.

SC: . . . and I'll be finishing that up before doing this AIM project. So I actually moved out of Black Hawk.

DM: Um, um.

SC: So I've got no fixed abode over here at (inaudible) present and I'm just in and out of hotels and stuff. I've got two tours to do in like four weeks time.

DM: Really?

SC: Yeah, over Washington state, Idaho, and Oregon that way up, Montana a little bit.

DM: Um, um.

SC: Just busy, this is why I needed to, and I've written stuff down here to clarify when we were visiting last, we didn't talk very much about Anna Mae . . .

DM: Um, um.

SC: . . . if you remember that. We talked about other stuff, Montileaux and (inaudible) and all this shit. Well, since that time, I've talked to a few other people and this is why I don't wanna do this, like a book interview kind of a deal. And I can only tell you what it is that other people have said and then you can tell me what you remember about it. Um in February I went up to Vancouver. I interviewed John Graham, who shot Anna Mae in the head.

DM: Oh, really?

SC: I was with him for a long time, went through the sequence of events and all that, it was Vernon who set this interview up and that's how I got to go and see him. I've discussed all this with Vernon and I know a lot of this shit that went on and all the rest of it, and I said to him you know, to do her justice. You know, I, I need to be finding out the full detail and then putting the scenario in as to what happened. And, you know, without shafting anybody in this process. Anyway, to make a long story short, he told me that when they brought her up from Denver, up to Rapid City to Thelma and all this, as it went down, that after they had her at Thelma's, that Arlo drove across the Pine Ridge and across to the Rosebud and he said they stopped at two houses on the way. The last house they stopped at was Kills' place and he said they stopped at your house on the way to Kills' house.

DM: Um.

SC: Then I talked to Arlo himself you know, Arlo's in a pretty bad way.

DM: Arlo?

SC: Looking Cloud. He was a kid then, well they were both kids then. Well, he said pretty much the same thing other than he added that, and how he knows this, I mean, I, I'm assuming either his memory is good or his memory is bad, one or the other. He said the same thing though, that he drove and all that, they stopped at two houses and he said words to the effect of when they stopped in at your place, something about that you, or, you or Cleo weren't happy about it, (inaudible) you know, weren't thrilled about it, or whatever, them showing up then. Choach. You know Choach?

DM: Choach?

SC: Yeah, yeah, her name is, uh . . . Arlene . . .

DM: She's a Means now.

DM: (inaudible) Goings?

SC: She was a Goings?

DM: She was Arlene Goings, Arlene Choach Goings. Yeah, she married that Dennis Means.

SC: Yeah. Well, I visited with her about it and she was saying that when she saw Annie Mae in all of this sequence and she said she was taking Dusty and Lena, you know Navajo Lynn over to Sioux City, Iowa, she was taking her to Cheryl DeCora's, Lorelei's sister's place, over there. It was at night and she stopped up at your place and that Theda, Arlo, and John Boy were there and that they had Annie Mae there, too. And she said she thought Regina Brave was there also. Now way back, I remember a conversation I had with June Little, or it may have been Jim about stuff and he mentioned that as well, but I hadn't given that very much credibility at that stage just because of the way that June could be. But now these other people have said it so I need to ask you what you remember about it, you know that, that event and that if you remember that night or what.

DM: (inaudible).

SC: Do you remember that night or what?

DM: That was 19 - , what?

SC: '75 it would have been. December thereof., mid or early December. Russ was on trial in Sioux Falls. Now you see why I'm not doing this as an...

DM: Um, um.

SC: . . . interview or anything.

DM: Did you visit with Cleo yet?

SC: Unh Unh.

DM: You should visit with her.

SC: I don't know where . . .

DM: She lives in Manderson.

SC: Okay.

DM: And she works at, ah, the school there. She's a finance officer. But at the time I was married to her.

SC: Um, um.

DM: We were legally married and we lived in an the Allen housing and, uh, I can't remember clearly who all came that time, but, uh, we had company I remember and Anna Mae was with them. That's the first time I ever laid eyes on Anna Mae, ever met her and, uh, I didn't really visit with her. I just visited with, uh, can't remember who I there were some dudes there. It happened so damn long ago I can't remember who's who.

DM: But, I remember, huh, Cleo was like that. She always fed company. She didn't bother asking if you were hungry. When you come, she automatically cooked and started feeding people, setting places, you know, getting coffee, and huh, I think she did give Anna Mae some clothes. That's about all I can remember of that. You might want to talk to Cleo 'cause she was my wife then.

SC: Um, um.

DM: You know. She was a solid woman.

SC: She's from Manderson.

DM. Manderson

SC: If I was to tell her that you told me that I should talk to her . . .

DM: Yeah.

SC: . . . . she'd talk to me?

DM: Um, um.

SC: And, uh, . . .

DM: Cuz she'd probably remember more than I would 'cuz I was probably hazed out cuz I was smoking too much peji then.

SC: Huh, huh. But that's, that's what these guys have said and like the first time when I heard it I was like, but then when they kinda repeated the same thing, you know the three people, that before they took her to Kills' house they stopped off at your house but nobody in the telling of it like, made out to me that you had any involvement in it.

DM: Um.

SC: It was just like they stopped there.

DM: Yeah. Yeah, we always had company and they went on . . . .

SC: For whatever the hell reason they stopped there, they just stopped there.

DM: That's because we was ah, movement members then and people would always stop in, you know.

SC: Yeah. But Choach, um, part of what she said was it seemed clear to her that looking at Annie Mae, that, uh, she wasn't there willingly. That these other three had like, brought her along, and she was like, she didn't have a choice but be there.

DM: Hm.

SC: Kinda how she was described that . . .

DM: Hm.

SC: . . . and so I don't know if you remember that particularly.

DM: Hm.

SC: Or, or whether Cleo would remember that.

DM: I, I suggest you talk to Cleo too.

SC: And because, she actually, she said that, ah, that as she recalled it, it seemed that Annie Mae was like, you know, that her hands were tied or something like that, on that occasion and Christ it's only, it's gonna be a few hours after that they took her to Kills' house.

DM: Hm.

SC: . . . and then up to where, Wanblee, where Amiotte is, and popped her, you know.

DM: Yeah, I myself, I'd like to know what the hell happened to her and why they did it, cuz, that's, that's about the only time I've ever seen her in my whole career. I remember hearing about all the strong things I heard that she's done. I've always had a lot respect for her coming all the way from her home country of Nova Scotia to help out down at Wounded Knee.

SC: Yeah. When we did that last interview that was one of the things that I respected about you was that if I asked you a question, you always answered it. And, I don't know these guys real well . . .

DM: Um, hm.

SC: . . . you know, and we've only met a couple of times, but I trust you to tell me the way that it is . . .

DM: Um, hm.

SC: . . . the way that it was.

DM: Um, um.

SC: Now this guy, John Boy, he's just a total fucking wreck, you know, because he did it, and he tells me at one point he says, uh, he says I'm not gonna say I'm not . . .

DM: What's this John Boy's last name.

SC: Graham.

DM: Graham?

SC: He was from up there too. Canada.

DM: Oh, yeah?

SC: His hair ain't real dark, its kinda darker than mine, but it's not like black more dark brown.

DM: Oh yeah?

SC: Yeah.

DM: Um. So he's a Canadian skin?

SC: Yeah.

DM: Is he?

SC: He's Southern Tchlon.

DM: Huh?

SC: Southern T'Chlon (inaudible) is the nation.

DM: Um.

SC: But, that was kinda (inaudible) . . .

DM: I'm gonna have some water.

SC: Sure. Finish it off. That was...

DM: That was from that sawdust. I work with sawdust all day, man. I gotta rinse my eyes out every day. We wear safety glasses but it still gets in, you know, so I use that Bausch & Lomb eye rinse.

SC: Um, um.

DM: Cuz if I don't, it feels like mud. Yeah, so I didn't care if you had talked to Cleo. She lives in Manderson.

SC: Uh, um. And she works at the school.

DM: Um, hm.

SC: (inaudible).

DM: Do you know Dave Clifford?

SC: I don't know him. I know of him.

DM: Um, hm. That's his sister. Dave used to be my brother-in-law.

SC: Um, hm.

SC: And but this just bothered me . . .

DM: Um, um.

SC: . . . you, know, and it wasn't something I could put in a fax to you or . . .

DM: Um, hm.

SC: . . . anything like that. In the context of what we're doing with this book I need to know, you know to get it straight.

DM: Um, hm.

SC: But at the same time I (inaudible) to know what like not, you know, drop in there.

DM: Um, hm.

SC: . . . kind of thing. These three, Theda, Arlo, and John Boy, Christ everybody knows. Shit, everywhere I go, everybody knows about this, you talk to people, right off the bat, you know,

DM: Hum.

SC: People have got stories about it. They might not have talked about it, for however many years. But it's like when, when they know that you've talked to them and (inaudible), they know that you're not bullshittin' them and people say what it is . . .

DM: Hm.

SC: . . . and I'm thinking, you know what my impression is, everybody's fuckin' sick of it, they're sick of living with it.

DM: Um.

SC: . . . and it's like people are getting to that point now where, it's like, what the fuck did we kept this shit quiet for, you know, because it wasn't nothing to do with us. They did it and now you've said about Annie Mae then and as I recall you said it about her when we talked last, she was a strong person. This person didn't deserve to be taken out . . .

DM: Right.

SC: . . . fuckin' wasted.

DM: Um, hm.

SC: You know. So people, I think, ah, you know they're kinda scared and, in a way, to talk about it, but, then again I think they wanna, it's like a cleansing almost, you know, well, shit, this is it, it's all over. And that's why I wanted to ask you . .

DM: Um, hm.

SC: . . . you know, within that context but I didn't wanna do it like we did the interview

DM: Um, hm.

SC: Yeah.

DM: Yeah, that happened so long ago. A lot of that happened so long, its kinda, I gotta admit I'm gettin' old, man I'll be 51 come September, trying to stay (inaudible) at fifty but I'm resisting. . .

DM: . . . goin' over the side man. It's cool though. I've been told when you hit 50 and over, you become a, start getting elderly (inaudible) status. Yeah, it's healing up. I guess I really tore it good. I mean, that's what really tore us up. I keep 'em covered so they won't get dust in there.

SC: Yeah.

DM: The ones in the back are doing pretty good they're dry.

SC: Yeah... but yeah that would have been December 1975, so it's twenty, twenty-five and a half years ago.

DM: That's a long time.

SC: Yeah.

DM: But, uh, like I say, you know, tell Cleo that ah, I asked her to talk to you and see if she can't remember. But we were married then.

SC: Uh, uh. But you just, you remember this is the only time that you ever seen Annie Mae . . .

DM: The only time.

SC: . . . . when those three guys showed up with her at your place, which is like what Choach and them . . . .

DM: Um, hm.

SC: . . . have said, so they were telling it right?

DM: Mm hm. But like I say I can't remember who those guys were you know because they were youngsters, there were a lot of people in and out of my camp.

SC: Um.

DM: A lot of people come visit me and Cleo.

SC: Um. Um.

DM: And we were about the, like uh, one of the strongest AIM families there in Allen at the time. A lot of shit went down they'd come to me and Cleo for help, you know, groceries, when they need a ride, and hauling wood for the elderly and

SC: But you reckon that Cleo gave Annie Mae some clothes or . . .

DM: I think she did.

SC: or gave them some clothes for her or . . .

DM: I think she, I don't know about that. She, she said she was gonna give some clothes to somebody but, it might have been Anna Mae, but, but uh, it happened so long ago I think, you know, I think it'd be good you talk to her.

SC: Yeah, I will.

DM: If you go to Manderson and inquire around they'll show you where she lives. She lives out in White Horse Crick near her folks.

SC: Does she own a phone, do you know?

DM: Ah, she might be, yeah.

SC: I, I'll try . . .

DM: Her married name then, now, is, ah, her husband's last name, Gates, G-A-T-E-S. Cleo Gates. Cleo Clifford Gates.

SC: Yeah, I'll try and call her ahead of time rather than just show up.

DM: Um, um.

SC: You know, hopefully she'll remember . . . .

DM: Um, um.

SC: . . . that night.

DM: Um hm.

SC: You know. And from what you can remember, how did, how did, Annie Mae look or is that like?

DM: Man, I can't remember (inaudible).

SC: 'Cuz according to Choach, she said that she just kinda went in your place and she was just kinda there. You know and she said she seemed to be, you know, like her hands were tied up...

DM: Um.

SC: . . . . or something or other.

DM: Um.

SC: I don't think she's a bullshitter either I . . .

DM: Um, um. . . and Choach, she's kinda like a (inaudible) observer . . .

SC: Yeah. I mean there's no, there's no doubt in my mind at all, you know that it was like Arlo and John Boy who with Theda took her flat out said it themselves.

DM: Um.

SC: You know, but, to my mind from what I've talked to people, they weren't prominent at all in the movement. They were just two kids. You know, like twenty years old, but, and shit like that you get dragged into. Dragged into all of that. What do you, what about, what do you know of, Theda, what do did you know about her? She seems like fuckin' . . . (inaudible). Theda is seventy years old now. Christ

DM: To me uh back then that she was a loud, boisterous woman. Like, when she was around, she wanted all the attention. That the kind of person. And she lived over in Oglala.

SC: Um, um.

DM: And, uh, I lived over in Allen, I really didn't want to pay much attention to her. She come around, she talked so loud like she wanted everybody to know she was there at that time.

SC: Ah, ah.

DM: I really didn't care for her.

SC: Well, that's probably why they brought her to your house then, you know. She wanted, ah, wanted people to know that, hey, it's part of her show, or something and she knew there'd be people at your place.

DM: Um.

SC: I mean, this, this is some whacked out shit to me.

DM: Um, um.

SC: Uh, doin' that to somebody.

DM: Um, um.

SC: They had no, they had no proof she was an informant or nothing, you know. It's fuckin' bad.

DM: Um, um.

SC: That whole deal. Yeah, somebody else always visited like this I wanted to ask you about, that David Hill, you know, or remember him? DePalma?

DM: I can't remember David Hill, ah, that I ever even met him back in the day.

SC: Guy from Oklahoma.

DM: Um. I've heard of him.

SC: Yeah, he's fuckin' nuts too.

DM: Um.

SC: I interviewed him at least, about all sorts of shit you know, not just this. Real deceptive kind of a . . .

DM: Hm.

SC: . . . guy. You know, not to be trusted at all and ah, I kinda found out that he was right in the middle of this shit.

DM: Hm.

SC: You know, he kinda orchestrated it, what was going to happen to this girl.

DM: Um.

SC: To my mind it's just totally bad, but doing that to somebody, doing that to a woman.

DM: Um, um.

SC: Right.

DM: Yeah, you know, me and some of the bros, we, uh, when this started coming out again, we thought, man, you know, somebody's gotta, some, somebody's gotta pay for this shit, man, you know, somebody's gotta own up to what really happened to her, you know.

SC: Um, um.

DM: As far as I'm concerned, you know, in a warrior's way, you gotta protect the women instead of harming them, you know.

SC: I mean Christ, she's got, she had two young kids.

DM: Yeah. Um, um.

SC: You know, those girls are growin' up not knowing, you know, what the hell happened to their mother.

DM: Um, um.

SC: And then we got these guys, Clyde, Dennis, particularly, Leonard, a little bit, Dave Hill, Kills, Ted, fucking, you know, what the hell, what gives them the right to...

DM: Um, um.

SC: . . . decide who's going to be livin' and who's gonna be dying.

DM: Um, um.

SC: You know. The Kangaroo Court they had over here.

DM: Um, um.

SC: It's bullshit.

DM: Um.

SC: Bruce, fucking Bruce Ellison, up to his neck in this shit. It's bad. It's fucking bad. I, um . . .

DM: Like you say, it's all gonna come to light and I am really interested in what the hell, whose involved, what really went down.

SC: Um. So but that was, you know, I appreciate your candor . . . .

DM: Yeah.

SC: . . . . with that.

DM: Okay.

SC: See my position, I, people say this shit to me and if I don't ask, I'm not gonna know.

DM: Hum, um.

SC: You know, and what how to get into. See, I'm gettin' shit on people man you know, like Vernon and them, and, what the fuck do you know, you know, you know this, you know that, you know too much and my position is hey, I ain't never, I didn't kill . . .

DM: Um, um.

SC: . . . there's not shit to do with me.

DM: Um, um.

SC: I'm just writing a fucking book.

DM: Yeah.

SC: You know, I don't wanna be part of it, but at the same time I wanna know because, damn, there's a lot of long roads on these rezes . . .

DM: Hum, um.

SC: . . . if you know what I'm saying.

DM: um, um.

SC: Guys are fucking nuts.

DM: Yup.

SC: . . . some of these people, it's just a, it's a bad scene all the way around . . .

DM: Yeah.

SC: . . . to me. I mean back in that time, when was it that you heard that they offed her? That they'd killed her? I know that thing we talked about was that Russ and Ted and Kills. Um, it was at that basketball game, we talked about it there. Do you remember last time. It was just like you and Cleo out of that caravan. You went up into a wake and those guys....

DM: Mmmm.

SC: Inaudible and that's about all we talked about.

DM: Just goes to show where me and Cleo's hearts were at.

SC: Yeah, but I mean, when did you, like hear that they'd shot her there after that they'd brought her to your house? I mean, took her out and . . .

DM: Hum, hm.

SC: . . . . killed her. I mean, when did you hear about that? Was it like soon after or . . .

DM: '75. . . . let's see.

SC: I mean they kill her . . .

DM: I cant (inaudible).

SC: (inaudible) in December, obviously.

DM: I can't remember right off the bat, but we heard about it, through, uh, I felt bad, too . . .

SC: Um.

DM: and we went to her wake.

SC: Yeah. So you kinda heard about it between the time they did it and that wake?

DM: Yeah.

SC: That fucker. And, there's, there's a part of me, not very much of me, but there's a part of me that feels kinda bad for Arlo and Arlo, I don't feel bad for John Boy cuz he didn't hafta shoot her in the head.

DM: Yeah I don't have no faith in them fuckers...

SC: You know.

DM: ...not at all.

SC: Yeah. I mean this is the interesting, real interesting bit to me, talking to John Boy, he can kinda tell, tell you what went down, you know, and the sequence and where they were and where they took her, and all that, but which, now it comes to like, mention your place and shit and uh, but when he gets to Kill's, man, I'm thinking he like shits himself.

DM: Hum.

SC: 'Cuz, some, some shit went down in, in Kills' house.

DM: Um.

SC: And he doesn't even, he doesn't like to think about it.

DM: Oh, yeah.

SC: 'Cuz he gets up, he walks about the fucking room and.

DM: Hmmm.

SC: He like, you don't know whether he's gonna cry or whether he's like, gonna go fuckin' ballistic. It's like, you know, (inaudible), that's kind of affected him.

DM: Hm.

SC: So to my mind, whatever was said to him in that house, that made him go out and shoot her in the back of the head.

DM: Hm.

SC: Somebody said to him in that house, gave him that ultimatum, I think.

DM: Um.

SC: You know, when they pick her up in Denver, I think they already know, like Clyde and them guys know that she ain't gonna be with them. But these three, him anyway, John Boy and Arlo, I don't think that they know that they're gonna be killin' her . . . .

DM: Um.

SC: . . . and I think that's the point, that they know they're gonna be killin' her, because he just like, he ain't a, to me he ain't a natural born killer. He, he's, someone, who was like put in that position.

DM: Um.

SC: 'Cuz he, fuck, he'd be able to hide it better, you know, or deal with it better, I would have thought but he can't, you know he's like....

DM: Um.

SC: When you're talking to him, he's like this.

DM: Oh, yeah?

SC: You know, smokin', his fucking hands going and all that. So I bet you when this shit comes out, who ever was in Kills' house, that, that's the word right there.

DM: Um, um.

SC: They just drove up there and killed her. That's some bad shit. And I've been told that Clyde and David Hill were in Kills' house. Obviously Kills was there.

DM: Um.

SC: But I can't say for sure who all else might, or might not have been, but those guys, Clyde and Ted, uh, admitted that they were here.

DM: Um.

SC: This WYKLDLOC office when they were interrogating Annie Mae and then they went to Kills' house that afternoon.

DM: Um.

SC: Then they went on to Sioux Falls and then they come back to Kills' house. While all this shit's going on, during that obviously that they took her to your place, stopped off at your place, before they ended up going over to his place.

DM: Um.

SC: And that's where it's at.

DM: Yeah, like I say it's been pretty interesting man. I'd like to know myself.

SC: Well, if I, if I find out who was in that house, I'll let you know, . . .

DM: Um, um.

SC: Or who all else was in that house. If you hear anything . . .

DM: Um.

SC: . . . . let me know cuz I'd be interested.

SC: Cuz it's getting to that point now where, for me, I'm just trying, I'm just, some people I'm trying to avoid. You know. I don't want, I don't wanna talk about this.

DM: Um. Um.

SC: You know, with, with those guys. Because it's not even that they're, I don't think that they're anything. You know, it's just that I know it's the kind of thing that they do, you know, they get four or five other people to come out and they're looking for 'ya.

DM: Um, um.

SC: It's like how I think that they operate. They don't do their own . . . .

DM: What about Anna Mae's kids? Where they at now?

SC: They're up there in Canada, Nova Scotia, as far as I know. The same place as her sisters.

DM: Um, um.

SC: No closure.

DM: Hum.

SC: You know, for them. Because although these names are out there, they, you know, how are they to know. You know, how are they to know, unless they see somebody answer to it.

DM: Um. Um.

SC: You know. Well, my position is, it's not just them three. Theda, Arlo and John Boy. It's these others around here who put this shit in motion, I mean, but . . .

DM: Um.

SC: . . . answer for it too.

DM: Um, um.

SC: And, I just, you know, I think I said to you before, I don't like, even like to think about what she went through, that last 36 hours . . .

DM: Um, um.

SC: . . . of her life. That's bad. That's really bad.

DM: You know one time I read an article something about Indian, Indian Country paper, or something like that, some guy named Two Elk, or something like that. Ah, three or four pages of it . . .

SC: Um, um.

DM: Did you ever talk to that guy?

SC: Ah, I didn't because I talked to Arlo and he got his information from Arlo.

DM: Um.

SC: I think Two Elk, you know, he's got kinda his own gripe?

DM: Oh yeah?

SC: Yeah, with some of these people. But a lot of what he said in there, is, ah, is true.

DM: Um.

SC: You know, 'cuz he got it from Arlo. And Arlo's just kind of a pitiful guy, you know.

DM: What's Arlo's last name?

SC: Looking Cloud.

DM: And he's from where?

SC: Well, he's from up here.

DM: Oh, yeah.

SC: Originally. His family, remember Johnny Looking Cloud? His dad was kinda real distinguished looking guy.

DM: Um.

SC: He was in a few movies and stuff. He's down from Pine Ridge.

DM: Oh yeah?

SC: But, he, they like got relatives and shit in Denver, but he was lives here now. . .

DM: Um.

SC: . . . but he's pitiful in that way that he drinks a lot and he's wrecked, he's wrecked his life.

DM: Oh, yeah.

SC: What, which I guess it would be.

DM: Um, um.

SC: You know, being involved this kind of violence(?). Ah, but, you know, people say he's a fucking wino and a drug addict you know ,and he's all these things...

DM: Um, um.

SC: . . . but he's got his own, his own ways of survival because he doesn't trust these guys either. You know, this is a guy, 40 odd years old or something, who, you know, he wants to get rid of it. You know, he wants, he wants it to be over and I think he'd answer to it, I do, you know.

DM: Um, um.

SC: If they don't kill him first. And, who knows whether they will or they won't.

DM: Um, um.

SC: I don't know. Some people have a lot of shit to hide and I think they will do most anything to hide it.

DM: Um, um.

SC: Cuz they've made their careers out of it you know. It's sad, it's sad, man. That's why I wanted to ask you about it.

DM: Okay.

SC: And I appreciate you coming down and visiting with me.

DM: Yeah I always wondered what happened to 'ya, you know, and, uh, uh, I've been livin' with that Maria Holy Eagle, but like I said, now I couldn't jive with her man, all together she, she's really into herself.

SC: Um.

DM: She just had an article in the Indian Country Journal paper about herself saying she was a spiritual person and she didn't tell me jack shit about these spirits of hers and I lived with her. In this town we have a lot of these, there's quite a few of these Indian people in town here who wanna be shaman, (inaudible) spiritual leaders this or leader of that. What I've seen it's all for show, or personal greed or money, that's it.

SC: Well, there's a lot of that around.

DM: (inaudible) I just had a good Sundance at Rick Two Dogs, it was powerful (inaudible)

SC: Yeah, Rick's a good (inaudible). Rick's kind of like Wilmer, you know, real traditional people.

DM: Oh, yeah.

SC: Then there's all these other kids, you know, who are, who might lead in sundances and stuff. I went to one of them and I, I had a friend who was dancing, she asked me to go and like record it so I went. Man, I couldn't believe the shit going on in there, too.

DM: Um.

SC: Lots of non-Indians and . . .

DM: Um, um.

SC: . . . Boy, it was kinda like a circus, you know, I was thinking what the hell.

DM: Yeah.

SC: You know, but with side shows and stuff going on, you know, there was a guy, a non-Indian guy, you know, he was like taking flesh offerings off people. It was like, like at a fair or something, you know, just . . .

DM: Um, um.

SC: It was just bad.

DM: Um, um. Well, I better hit the road, man, 'cuz I'm gonna go back to my apartment, and head for Pine Ridge and my parole officer gave me, gave me the go ahead to, I got my last meeting with him on Monday, 4:30. And he says I can move any time after that, so I tell him, well, I can't come back Sunday night, can I come back Monday he said yes 'cuz I gotta bring back the trailer, bring all my stuff back, so.

SC: Well, if you get down to Wilmer's place, ah, give him a message for me. He wanted me to go down there on the 29th.

DM: You said you gave him a message for me too, and I, he never did tell me that.

SC: Yeah, well last fall. You know when we visited, he said . . .

DM: Yeah.

SC: 'tell him to call me.' So I gave him your number.

DM: Um, um. Yeah, he never did call.

SC: Or that number that I had, which was (inaudible) yeah.

SC: That woman's place, um, I don't know whether he did or...

DM: (inaudible)

SC: But if you see him, man, can you tell him that I can't be there on the 29th cuz I gotta be in Seattle.

DM: The 29th of this month?

SC: Yeah. I gotta go to Seattle so that's why.

DM: Ok. Today's what, the 27th?

SC: Yeah, it's like Sunday.

DM: Oh, all right. Cause I'll be going through there tomorrow.

SC: Okay. Well, if you see you him and . . .

DM: All right.

SC: . . . . tell him that, that would be, that would be cool 'cuz then I ain't got no other way of getting a message to him.

DM: All right. I'll do that.

SC: And I'll try and hook up with Cleo . . .

DM: Um, um.

SC: . . . . see what she can remember.

DM: Um, um.

SC: Then I'll be back around here, uh, end of August. So I'll give you call then.

DM: K. Then, ah, . . . .

SC: See what's going on. And I'll, by that time

DM: You'll have a rough draft . . .

SC: Yeah.

DM: . . . . put together.

SC: Yeah. It's just gonna be, it'll be like my questions and your . . .

DM: What other magazines did you send me?

SC: I sent you those AIM magazines that we get, those, ones with, uh, Fern, you know, Fern Matthias (inaudible).

DM: Hum.

SC: . . . lady, she like had the flag upside down.

DM: Um, no I didn't see that one.

SC: Ah, I sent you that one. I sent you that one with, ah, Peltier on the front and I sent you another one that had stuff about mascots in it that we did you know.

DM: Do you have anymore copies left?

SC: Yeah.

DM: Well, send them to this address (inaudible).

SC: And then you'll get them.. 'Cuz I remember the last thing you said to me was if you can give Wilmer a message for me and I saw him right after that. I gave him that message.

DM: Um, um.

SC: And then he said if you got that magazine, send me that magazine.

DM: Um, um.

SC: So, I gave him the message and I sent you the magazines some time after that.

DM: I didn't get it.

SC: It wasn't right away I admit.

DM: Yeah so she's probably got them there and didn't give them to me.

SC: Well, I'm glad we . . . .

DM: Yeah.

SC: . . . . I didn't send that book.

DM: Yeah. That'd be my new address there, so that's where I'll be livin'.

SC: All right man. Well we'll do that.

DM: Um, um.

SC: We'll do that and I'll give you call when I get back.

DM: Okay, man. Well, I gotta ride. All right.

SC: I'll walk you down.

DM: All right.

SC: You look kind of tired.

DM: I am been a long day man since last time I worked (inaudible) like this (inaudible).

End.

This is Serle Chapman. It is Friday, 27th of July, 2001, about to visit with Dick Marshall in regard to the murder of Anna Mae Pictou Aquash at the Alex Johnson Hotel, Room 918.













SC: Just busy, this is why I needed to, and I've written stuff down here to clarify when we were visiting last, we didn't talk very much about Anna Mae . . .

DM: Um, um.

SC: . . . if you remember that. We talked about other stuff, Montileaux and (inaudible) and all this shit. Well, since that time, I've talked to a few other people and this is why I don't wanna do this, like a book interview kind of a deal. And I can only tell you what it is that other people have said and then you can tell me what you remember about it. Um in February I went up to Vancouver. I interviewed John Graham, who shot Anna Mae in the head.

DM: Oh, really?

SC: I was with him for a long time, went through the sequence of events and all that, it was Vernon who set this interview up and that's how I got to go and see him. I've discussed all this with Vernon and I know a lot of this shit that went on and all the rest of it, and I said to him you know, to do her justice. You know, I, I need to be finding out the full detail and then putting the scenario in as to what happened. And, you know, without shafting anybody in this process. Anyway, to make a long story short, he told me that when they brought her up from Denver, up to Rapid City to Thelma and all this, as it went down, that after they had her at Thelma's, that Arlo drove across the Pine Ridge and across to the Rosebud and he said they stopped at two houses on the way. The last house they stopped at was Kills' place and he said they stopped at your house on the way to Kills' house.

DM: Um.

SC: Then I talked to Arlo himself you know, Arlo's in a pretty bad way.

DM: Arlo?

SC: Looking Cloud. He was a kid then, well they were both kids then. Well, he said pretty much the same thing other than he added that, and how he knows this, I mean, I, I'm assuming either his memory is good or his memory is bad, one or the other. He said the same thing though, that he drove and all that, they stopped at two houses and he said words to the effect of when they stopped in at your place, something about that you, or, you or Cleo weren't happy about it, (inaudible) you know, weren't thrilled about it, or whatever, them showing up then. Choach. You know Choach?

DM: Choach?

SC: Yeah, yeah, her name is, uh . . . Arlene . . .

DM: She's a Means now.

DM: (inaudible) Goings?

SC: She was a Goings?

DM: She was Arlene Goings, Arlene Choach Goings. Yeah, she married that Dennis Means.

SC: Yeah. Well, I visited with her about it and she was saying that when she saw Annie Mae in all of this sequence and she said she was taking Dusty and Lena, you know Navajo Lynn over to Sioux City, Iowa, she was taking her to Cheryl DeCora's, Lorelei's sister's place, over there. It was at night and she stopped up at your place and that Theda, Arlo, and John Boy were there and that they had Annie Mae there, too. And she said she thought Regina Brave was there also. Now way back, I remember a conversation I had with June Little, or it may have been Jim about stuff and he mentioned that as well, but I hadn't given that very much credibility at that stage just because of the way that June could be. But now these other people have said it so I need to ask you what you remember about it, you know that, that event and that if you remember that night or what.

DM: (inaudible).

SC: Do you remember that night or what?

DM: That was 19 - , what?

SC: '75 it would have been. December thereof., mid or early December. Russ was on trial in Sioux Falls. Now you see why I'm not doing this as an...

DM: Um, um.

SC: . . . interview or anything.

DM: Did you visit with Cleo yet?

SC: Unh Unh.

DM: You should visit with her.

SC: I don't know where . . .

DM: She lives in Manderson.

SC: Okay.

DM: And she works at, ah, the school there. She's a finance officer. But at the time I was married to her.

SC: Um, um.

DM: We were legally married and we lived in an the Allen housing and, uh, I can't remember clearly who all came that time, but, uh, we had company I remember and Anna Mae was with them. That's the first time I ever laid eyes on Anna Mae, ever met her and, uh, I didn't really visit with her. I just visited with, uh, can't remember who I there were some dudes there. It happened so damn long ago I can't remember who's who.

DM: But, I remember, huh, Cleo was like that. She always fed company. She didn't bother asking if you were hungry. When you come, she automatically cooked and started feeding people, setting places, you know, getting coffee, and huh, I think she did give Anna Mae some clothes. That's about all I can remember of that. You might want to talk to Cleo 'cause she was my wife then.

SC: Um, um.

DM: You know. She was a solid woman.

SC: She's from Manderson.

DM. Manderson

SC: If I was to tell her that you told me that I should talk to her . . .

DM: Yeah.

SC: . . . . she'd talk to me?

DM: Um, um.

SC: And, uh, . . .

DM: Cuz she'd probably remember more than I would 'cuz I was probably hazed out cuz I was smoking too much peji then.

SC: Huh, huh. But that's, that's what these guys have said and like the first time when I heard it I was like, but then when they kinda repeated the same thing, you know the three people, that before they took her to Kills' house they stopped off at your house but nobody in the telling of it like, made out to me that you had any involvement in it.

DM: Um.

SC: It was just like they stopped there.

DM: Yeah. Yeah, we always had company and they went on . . . .

SC: For whatever the hell reason they stopped there, they just stopped there.

DM: That's because we was ah, movement members then and people would always stop in, you know.

SC: Yeah. But Choach, um, part of what she said was it seemed clear to her that looking at Annie Mae, that, uh, she wasn't there willingly. That these other three had like, brought her along, and she was like, she didn't have a choice but be there.

DM: Hm.

SC: Kinda how she was described that . . .

DM: Hm.

SC: . . . and so I don't know if you remember that particularly.

DM: Hm.

SC: Or, or whether Cleo would remember that.

DM: I, I suggest you talk to Cleo too.

SC: And because, she actually, she said that, ah, that as she recalled it, it seemed that Annie Mae was like, you know, that her hands were tied or something like that, on that occasion and Christ it's only, it's gonna be a few hours after that they took her to Kills' house.

DM: Hm.

SC: . . . and then up to where, Wanblee, where Amiotte is, and popped her, you know.

DM: Yeah, I myself, I'd like to know what the hell happened to her and why they did it, cuz, that's, that's about the only time I've ever seen her in my whole career. I remember hearing about all the strong things I heard that she's done. I've always had a lot respect for her coming all the way from her home country of Nova Scotia to help out down at Wounded Knee.

SC: Yeah. When we did that last interview that was one of the things that I respected about you was that if I asked you a question, you always answered it. And, I don't know these guys real well . . .

DM: Um, hm.

SC: . . . you know, and we've only met a couple of times, but I trust you to tell me the way that it is . . .

DM: Um, hm.

SC: . . . the way that it was.

DM: Um, um.

SC: Now this guy, John Boy, he's just a total fucking wreck, you know, because he did it, and he tells me at one point he says, uh, he says I'm not gonna say I'm not . . .

DM: What's this John Boy's last name.

SC: Graham.

DM: Graham?

SC: He was from up there too. Canada.

DM: Oh, yeah?

SC: His hair ain't real dark, its kinda darker than mine, but it's not like black more dark brown.

DM: Oh yeah?

SC: Yeah.

DM: Um. So he's a Canadian skin?

SC: Yeah.

DM: Is he?

SC: He's Southern Tchlon.

DM: Huh?

SC: Southern T'Chlon (inaudible) is the nation.

DM: Um.

SC: But, that was kinda (inaudible) . . .

DM: I'm gonna have some water.

SC: Sure. Finish it off. That was...

DM: That was from that sawdust. I work with sawdust all day, man. I gotta rinse my eyes out every day. We wear safety glasses but it still gets in, you know, so I use that Bausch & Lomb eye rinse.

SC: Um, um.

DM: Cuz if I don't, it feels like mud. Yeah, so I didn't care if you had talked to Cleo. She lives in Manderson.

SC: Uh, um. And she works at the school.

DM: Um, hm.

SC: (inaudible).

DM: Do you know Dave Clifford?

SC: I don't know him. I know of him.

DM: Um, hm. That's his sister. Dave used to be my brother-in-law.

SC: Um, hm.

SC: And but this just bothered me . . .

DM: Um, um.

SC: . . . you, know, and it wasn't something I could put in a fax to you or . . .

DM: Um, hm.

SC: . . . anything like that. In the context of what we're doing with this book I need to know, you know to get it straight.

DM: Um, hm.

SC: But at the same time I (inaudible) to know what like not, you know, drop in there.

DM: Um, hm.

SC: . . . kind of thing. These three, Theda, Arlo, and John Boy, Christ everybody knows. Shit, everywhere I go, everybody knows about this, you talk to people, right off the bat, you know,

DM: Hum.

SC: People have got stories about it. They might not have talked about it, for however many years. But it's like when, when they know that you've talked to them and (inaudible), they know that you're not bullshittin' them and people say what it is . . .

DM: Hm.

SC: . . . and I'm thinking, you know what my impression is, everybody's fuckin' sick of it, they're sick of living with it.

DM: Um.

SC: . . . and it's like people are getting to that point now where, it's like, what the fuck did we kept this shit quiet for, you know, because it wasn't nothing to do with us. They did it and now you've said about Annie Mae then and as I recall you said it about her when we talked last, she was a strong person. This person didn't deserve to be taken out . . .

DM: Right.

SC: . . . fuckin' wasted.

DM: Um, hm.

SC: You know. So people, I think, ah, you know they're kinda scared and, in a way, to talk about it, but, then again I think they wanna, it's like a cleansing almost, you know, well, shit, this is it, it's all over. And that's why I wanted to ask you . .

DM: Um, hm.

SC: . . . you know, within that context but I didn't wanna do it like we did the interview

DM: Um, hm.

SC: Yeah.

DM: Yeah, that happened so long ago. A lot of that happened so long, its kinda, I gotta admit I'm gettin' old, man I'll be 51 come September, trying to stay (inaudible) at fifty but I'm resisting. . .

DM: . . . goin' over the side man. It's cool though. I've been told when you hit 50 and over, you become a, start getting elderly (inaudible) status. Yeah, it's healing up. I guess I really tore it good. I mean, that's what really tore us up. I keep 'em covered so they won't get dust in there.

SC: Yeah.

DM: The ones in the back are doing pretty good they're dry.

SC: Yeah... but yeah that would have been December 1975, so it's twenty, twenty-five and a half years ago.

DM: That's a long time.

SC: Yeah.

DM: But, uh, like I say, you know, tell Cleo that ah, I asked her to talk to you and see if she can't remember. But we were married then.

SC: Uh, uh. But you just, you remember this is the only time that you ever seen Annie Mae . . .

DM: The only time.

SC: . . . . when those three guys showed up with her at your place, which is like what Choach and them . . . .

DM: Um, hm.

SC: . . . have said, so they were telling it right?

DM: Mm hm. But like I say I can't remember who those guys were you know because they were youngsters, there were a lot of people in and out of my camp.

SC: Um.

DM: A lot of people come visit me and Cleo.

SC: Um. Um.

DM: And we were about the, like uh, one of the strongest AIM families there in Allen at the time. A lot of shit went down they'd come to me and Cleo for help, you know, groceries, when they need a ride, and hauling wood for the elderly and

SC: But you reckon that Cleo gave Annie Mae some clothes or . . .

DM: I think she did.

SC: or gave them some clothes for her or . . .

DM: I think she, I don't know about that. She, she said she was gonna give some clothes to somebody but, it might have been Anna Mae, but, but uh, it happened so long ago I think, you know, I think it'd be good you talk to her.

SC: Yeah, I will.

DM: If you go to Manderson and inquire around they'll show you where she lives. She lives out in White Horse Crick near her folks.

SC: Does she own a phone, do you know?

DM: Ah, she might be, yeah.

SC: I, I'll try . . .

DM: Her married name then, now, is, ah, her husband's last name, Gates, G-A-T-E-S. Cleo Gates. Cleo Clifford Gates.

SC: Yeah, I'll try and call her ahead of time rather than just show up.

DM: Um, um.

SC: You know, hopefully she'll remember . . . .

DM: Um, um.

SC: . . . that night.

DM: Um hm.

SC: You know. And from what you can remember, how did, how did, Annie Mae look or is that like?

DM: Man, I can't remember (inaudible).

SC: 'Cuz according to Choach, she said that she just kinda went in your place and she was just kinda there. You know and she said she seemed to be, you know, like her hands were tied up...

DM: Um.

SC: . . . . or something or other.

DM: Um.

SC: I don't think she's a bullshitter either I . . .

DM: Um, um. . . and Choach, she's kinda like a (inaudible) observer . . .

SC: Yeah. I mean there's no, there's no doubt in my mind at all, you know that it was like Arlo and John Boy who with Theda took her flat out said it themselves.

DM: Um.

SC: You know, but, to my mind from what I've talked to people, they weren't prominent at all in the movement. They were just two kids. You know, like twenty years old, but, and shit like that you get dragged into. Dragged into all of that. What do you, what about, what do you know of, Theda, what do did you know about her? She seems like fuckin' . . . (inaudible). Theda is seventy years old now. Christ

DM: To me uh back then that she was a loud, boisterous woman. Like, when she was around, she wanted all the attention. That the kind of person. And she lived over in Oglala.

SC: Um, um.

DM: And, uh, I lived over in Allen, I really didn't want to pay much attention to her. She come around, she talked so loud like she wanted everybody to know she was there at that time.

SC: Ah, ah.

DM: I really didn't care for her.

SC: Well, that's probably why they brought her to your house then, you know. She wanted, ah, wanted people to know that, hey, it's part of her show, or something and she knew there'd be people at your place.

DM: Um.

SC: I mean, this, this is some whacked out shit to me.

DM: Um, um.

SC: Uh, doin' that to somebody.

DM: Um, um.

SC: They had no, they had no proof she was an informant or nothing, you know. It's fuckin' bad.

DM: Um, um.

SC: To my mind it's just totally bad, but doing that to somebody, doing that to a woman.

DM: Um, um.

SC: Right.

DM: Yeah, you know, me and some of the bros, we, uh, when this started coming out again, we thought, man, you know, somebody's gotta, some, somebody's gotta pay for this shit, man, you know, somebody's gotta own up to what really happened to her, you know.

SC: Um, um.

DM: As far as I'm concerned, you know, in a warrior's way, you gotta protect the women instead of harming them, you know.

SC: I mean Christ, she's got, she had two young kids.

DM: Yeah. Um, um.

SC: You know, those girls are growin' up not knowing, you know, what the hell happened to their mother.

DM: Um, um.

SC: And then we got these guys, Clyde, Dennis, particularly, Leonard, a little bit, Dave Hill, Kills, Ted, fucking, you know, what the hell, what gives them the right to...

DM: Um, um.

SC: . . . decide who's going to be livin' and who's gonna be dying.

DM: Um, um.

SC: You know. The Kangaroo Court they had over here.

DM: Um, um.

SC: It's bullshit.

DM: Um.

SC: Bruce, fucking Bruce Ellison, up to his neck in this shit. It's bad. It's fucking bad. I, um . . .

DM: Like you say, it's all gonna come to light and I am really interested in what the hell, whose involved, what really went down.

SC: Um. So but that was, you know, I appreciate your candor . . . .

DM: Yeah.

SC: . . . . with that.

DM: Okay.

SC: See my position, I, people say this shit to me and if I don't ask, I'm not gonna know.

DM: Hum, um.

SC: You know, and what how to get into. See, I'm gettin' shit on people man you know, like Vernon and them, and, what the fuck do you know, you know, you know this, you know that, you know too much and my position is hey, I ain't never, I didn't kill . . .

DM: Um, um.

SC: . . . there's not shit to do with me.

DM: Um, um.

SC: I'm just writing a fucking book.

DM: Yeah.

SC: You know, I don't wanna be part of it, but at the same time I wanna know because, damn, there's a lot of long roads on these rezes . . .

DM: Hum, um.

SC: . . . if you know what I'm saying.

DM: um, um.

SC: Guys are fucking nuts.

DM: Yup.

SC: . . . some of these people, it's just a, it's a bad scene all the way around . . .

DM: Yeah.

SC: . . . to me. I mean back in that time, when was it that you heard that they offed her? That they'd killed her? I know that thing we talked about was that Russ and Ted and Kills. Um, it was at that basketball game, we talked about it there. Do you remember last time. It was just like you and Cleo out of that caravan. You went up into a wake and those guys....

DM: Mmmm.

SC: Inaudible and that's about all we talked about.

DM: Just goes to show where me and Cleo's hearts were at.

SC: Yeah, but I mean, when did you, like hear that they'd shot her there after that they'd brought her to your house? I mean, took her out and . . .

DM: Hum, hm.

SC: . . . . killed her. I mean, when did you hear about that? Was it like soon after or . . .

DM: '75. . . . let's see.

SC: I mean they kill her . . .

DM: I cant (inaudible).

SC: (inaudible) in December, obviously.

DM: I can't remember right off the bat, but we heard about it, through, uh, I felt bad, too . . .

SC: Um.

DM: and we went to her wake.

SC: Yeah. So you kinda heard about it between the time they did it and that wake?

DM: Yeah.

SC: That fucker. And, there's, there's a part of me, not very much of me, but there's a part of me that feels kinda bad for Arlo and Arlo, I don't feel bad for John Boy cuz he didn't hafta shoot her in the head.

DM: Yeah I don't have no faith in them fuckers...

SC: You know.

DM: ...not at all.

SC: Yeah. I mean this is the interesting, real interesting bit to me, talking to John Boy, he can kinda tell, tell you what went down, you know, and the sequence and where they were and where they took her, and all that, but which, now it comes to like, mention your place and shit and uh, but when he gets to Kill's, man, I'm thinking he like shits himself.

DM: Hum.

SC: 'Cuz, some, some shit went down in, in Kills' house.

DM: Um.

SC: And he doesn't even, he doesn't like to think about it.

DM: Oh, yeah.

SC: 'Cuz he gets up, he walks about the fucking room and.

DM: Hmmm.

SC: He like, you don't know whether he's gonna cry or whether he's like, gonna go fuckin' ballistic. It's like, you know, (inaudible), that's kind of affected him.

DM: Hm.

SC: So to my mind, whatever was said to him in that house, that made him go out and shoot her in the back of the head.

DM: Hm.

SC: Somebody said to him in that house, gave him that ultimatum, I think.

DM: Um.

SC: You know, when they pick her up in Denver, I think they already know, like Clyde and them guys know that she ain't gonna be with them. But these three, him anyway, John Boy and Arlo, I don't think that they know that they're gonna be killin' her . . . .

DM: Um.

SC: . . . and I think that's the point, that they know they're gonna be killin' her, because he just like, he ain't a, to me he ain't a natural born killer. He, he's, someone, who was like put in that position.

DM: Um.

SC: 'Cuz he, fuck, he'd be able to hide it better, you know, or deal with it better, I would have thought but he can't, you know he's like....

DM: Um.

SC: When you're talking to him, he's like this.

DM: Oh, yeah?

SC: You know, smokin', his fucking hands going and all that. So I bet you when this shit comes out, who ever was in Kills' house, that, that's the word right there.

DM: Um, um.

SC: They just drove up there and killed her. That's some bad shit. And I've been told that Clyde and David Hill were in Kills' house. Obviously Kills was there.

DM: Um.

SC: But I can't say for sure who all else might, or might not have been, but those guys, Clyde and Ted, uh, admitted that they were here.

DM: Um.

SC: This WYKLDLOC office when they were interrogating Annie Mae and then they went to Kills' house that afternoon.

DM: Um.

SC: Then they went on to Sioux Falls and then they come back to Kills' house. While all this shit's going on, during that obviously that they took her to your place, stopped off at your place, before they ended up going over to his place.

DM: Um.

SC: And that's where it's at.

DM: Yeah, like I say it's been pretty interesting man. I'd like to know myself.

SC: Well, if I, if I find out who was in that house, I'll let you know, . . .

DM: Um, um.

SC: Or who all else was in that house. If you hear anything . . .

DM: Um.

SC: . . . . let me know cuz I'd be interested.

SC: Cuz it's getting to that point now where, for me, I'm just trying, I'm just, some people I'm trying to avoid. You know. I don't want, I don't wanna talk about this.

DM: Um. Um.

SC: You know, with, with those guys. Because it's not even that they're, I don't think that they're anything. You know, it's just that I know it's the kind of thing that they do, you know, they get four or five other people to come out and they're looking for 'ya.

DM: Um, um.

SC: It's like how I think that they operate. They don't do their own . . . .

DM: What about Anna Mae's kids? Where they at now?

SC: They're up there in Canada, Nova Scotia, as far as I know. The same place as her sisters.

DM: Um, um.

SC: No closure.

DM: Hum.

SC: You know, for them. Because although these names are out there, they, you know, how are they to know. You know, how are they to know, unless they see somebody answer to it.

DM: Um. Um.

SC: You know. Well, my position is, it's not just them three. Theda, Arlo and John Boy. It's these others around here who put this shit in motion, I mean, but . . .

DM: Um.

SC: . . . answer for it too.

DM: Um, um.

SC: And, I just, you know, I think I said to you before, I don't like, even like to think about what she went through, that last 36 hours . . .

DM: Um, um.

SC: . . . of her life. That's bad. That's really bad.

DM: You know one time I read an article something about Indian, Indian Country paper, or something like that, some guy named Two Elk, or something like that. Ah, three or four pages of it . . .

SC: Um, um.

DM: Did you ever talk to that guy?

SC: Ah, I didn't because I talked to Arlo and he got his information from Arlo.

DM: Um.











End.