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TRUTH OR CONSEQUENCES

A Sheriff needlessly entangles himself, and his agency, in a web of deceit



By Julius (Jay) Wachtel. As the balloon came to a surprisingly soft landing on the high plains of Colorado a transfixed nation held its breath. Was six-year old Falcon Heene alive? *Could* he be? Had the boy succumbed to hypothermia or, God forbid, suffocated from helium? Moments later, as authorities pounced on the disabled craft, a breathless reporter made the most startling announcement of all: there was no one on board.

What do you mean, no one? Look harder!

After hours of speculation about a missing basket that it turns out the balloon never had, Falcon magically appeared. None the worse for wear, he had supposedly been hiding because he was [frightened of being punished](#) for untethering the balloon.

That's when attention turned to his parents, unemployed actors Richard and Mayumi Heene, veterans of a March 2009 appearance on the "Wife Swap" reality program. An amateur scientist with a high-school education, Richard Heene had been unsuccessfully peddling a show entitled "The Science Detectives." Then Thursday, October 15 happened. With the family occupying center stage on every network, it was the opportunity of a lifetime. Who knows what might have come their way except for Falcon's explanation of why he hid, made to his dad during a live interview with CNN's Wolf Blitzer:

["You guys said...we did this for the show."](#)

Larimer County Sheriff Jim Alderden, the only other participant in this fiasco who's received as much TV exposure as the Heenes, endorsed their truthfulness from the start. Conceding at a [news conference](#) one day later that the boy's comments "raised everybody's level of skepticism," he [nonetheless stuck to the view](#) that the

parents' "non-verbal communications, body language, and emotions during this event were entirely consistent with the events that were taking place." Still, he promised to re-interview the family to "see if we can put that issue [the alleged hoax] to rest."

That was Friday. One day later Richard Heene's wife, Mayumi, [confessed to an investigator](#) that they faked the whole thing to promote "media interest." That Monday Sheriff Alderden's tune abruptly changed. While not mentioning her statement (he later said that Colorado law forbids it) he not only declared that the incident was a hoax, but that he had known so since the [Blitzer interview](#), when the children's "nonverbal responses" and "verbal cues" indicated that they were lying. "Needless to say, they [had] put on a very good show for us, and we bought it," the Sheriff said. He then supposedly decided to put on his own little show and let the parents think that he still believed in them so that they kept cooperating.

Sheriff Alderden's mea culpa came one day later. At another news conference he [told reporters](#) "I think we came close to misleading the media. I apologize." Sheriff Alderden explained that his only motive in misstating his support of the Heenes was "to make them believe we were still on their side."

But was the alleged deception necessary? Hardly anyone thought so. "He could have just said nothing," [an expert pointed out](#). "If he wanted to send a message to the family, he could have said it to them personally and not used the media and engaged in misleading the public."

To this observer the Sheriff's explanation seems nearly as implausible as the balloon caper. When he pooh-poohed the boy's comments and said that his parents' conduct was consistent with the truth (opinions that he now disavows), his own "non-verbal communications" and "body language" seemed unexceptional. He spoke with conviction and was to all appearances telling the truth. Indeed, Sheriff Alderden didn't publicly turn against the parents until after Heene's wife confessed and deputies [served a search warrant](#) at the parents' residence. He then claimed that his real conversion took place during Blitzer's interview three days earlier, when the children's behavior convinced him that the balloon episode was a hoax.

Sheriff Alderden's "confession" that his support for the Heenes had been insincere opened a Pandora's box that forced him to apologize to the press the very next day. But could his *apology* be the real deceit? Had he really believed in the Heenes and was now simply trying to cover up his naiveté? We'll probably never know.

There are other issues. Professional law enforcers know that it's a bad idea to publicly discuss the strength and nature of evidence or the methods used to acquire it while an investigation is in progress. Mentioning such things, if at all, should come

only after consulting prosecutors, not as ad-libbed comments during press conferences. And barring the most extreme circumstances, false public disclosures are always out of bounds.

There are many way of inducing persons to cooperate, some less tasteful and more legally problematic than others. Extensive police contact with suspects who don't have lawyers inevitably gives rise to Constitutional concerns. What did deputies tell family members? Were the Heenes coerced in any way; for example, with threats of losing custody of their children? Did they feel compelled to cooperate? Were they free to walk away? By making himself and his deputies out as master manipulators, making the Heenes out as suspects from the Blitzer interview on, and (allegedly) using the media as his proxy, Sheriff Alderden turned the prosecution of two alleged hoaxers into a moral drama, and perhaps a legally problematic one at that.

Interviewed in 2007 about another agency's lies to the press, [Sheriff Alderden said](#) that "all of us in this profession rely on a reputation for truthfulness, and even with best of motives, you can destroy that reputation pretty easily if you're not careful."

Exactly.

"Oh what a tangled web we weave when first we practice to deceive" (Sir Walter Scott, 1771-1832)