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October 26, 2009

Larry Abrahamson, Esq.
Larimer County District Attorney
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Dear Mr. Abrahamson:

Re: *Heene Investigation*

As you know undersigned counsel represents Richard and Mayumi Heene.

Sheriff James Alderden has repeatedly been quoted in the press disclosing the existence and ongoing status of an alleged child-welfare investigation involving Mr. and Mrs. Heene. Despite the fact that the children are in no danger whatsoever, Sheriff Alderden continues to raise the specter of child protection concerns in his repeated statements to the media and has divulged that an investigation is ongoing.

The statute regarding child protection information, CRS 19-1-307 *et.seq.* is very clear:

19-1-307. Dependency and neglect records and information - access - fee - rules - records and reports fund - misuse of information - penalty

(1) (a) Identifying information - confidential. Except as otherwise provided in this section and section 19-1-303, reports of child abuse or neglect and the name and address of any child, family, or informant or any other identifying information contained in such reports ***shall be confidential and shall not be public information...***(emphasis added)

(4) Any person who improperly releases or who willfully permits or encourages the release of data or information contained in the records and reports of child abuse or neglect to persons not permitted access to such information by this section or by section 19-1-303 commits a class 1 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S.

It is our belief that Sheriff Alderden is in violation of this statute. He is quoted on-line as saying:

*Also admitted to practice in California

†Also admitted to practice in New York

‡Also admitted to practice in Wyoming

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FORT COLLINS, Colo. (CBS/AP) Richard and Mayumi Heene, in all their alleged balloon boy hoax glory, have been reported to child protective services in Colorado, according to Larimer County Sheriff Jim Alderden.

<http://www.cbsnews.com/blogs/2009/10/19/crimesider/entry5398335.shtml?tag=contentMain;contentBody>

Because he is in violation of the above referenced statute, we are requesting that you immediately investigate these allegations and commence a criminal action against the Sheriff.

Please contact me as you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "David A. Lane". The signature is fluid and cursive, with the first name "David" being the most prominent.

David A. Lane
And

s/Lee Christian
Lee Christian