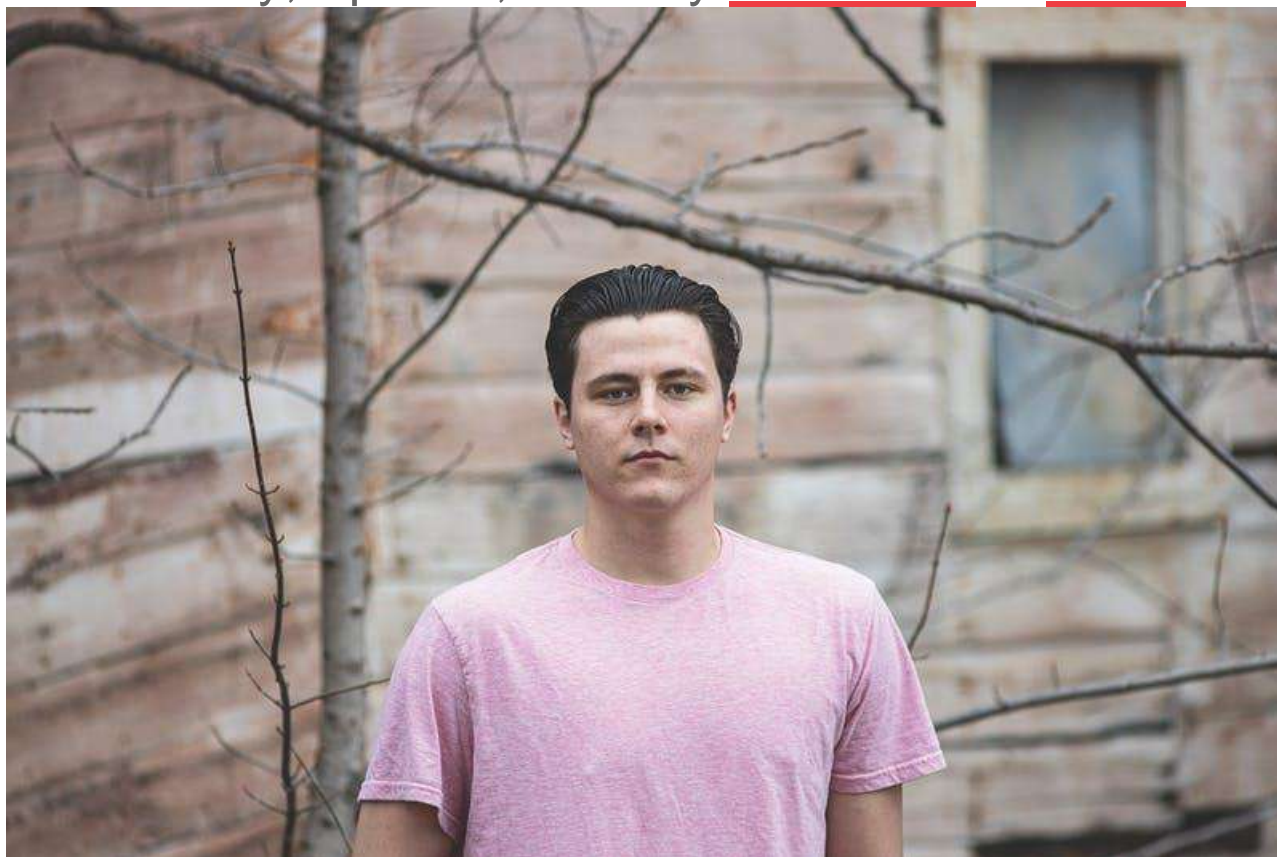


# Alex Heineman was cleared of rape. Why is he still a pariah in his hometown?

Wednesday, April 22, 2020 by [Susan Du](#) in [News](#)



Susan Du

## I. The poison tree

When Alex Heineman was 16 years old, he stole off into the woods behind the Hudson YMCA with a girl he liked. It was an unseasonably warm May evening, and the YMCA had thrown a special night out for the local teenagers. They ditched their friends, ducked past the skate park, and meandered through the dark toward a playground called Castle Park.

Heineman was a quiet kid with a gangly athlete's build, jet black hair that stood straight up, and a slightly sunken gaze. He had learning disabilities that relegated him to the high-functioning end of the autism spectrum and a lower rung of Hudson High's social food chain.

Home was a disaster. His mother had him young. His biological father was a nonfactor, but his stepfather hated the sight of him. They couldn't coexist under the same roof. Heineman was forced to live with his grandparents across town while his mother and stepfather waged a tumultuous divorce and custody battle over his two younger half-siblings. He ran away all the time.

Family strife made Heineman prone to angry outbursts, which didn't ingratiate him to many people at school. He was a gym rat who spent most of his time playing pickup basketball at the YMCA. The staff there had made a point to befriend him. The manager, seeing potential in want of opportunity, hired him to coach peewee sports.

The girl he was with that night was a 15-year-old from Osceola. She was another poor kid from a broken home, born to a meth-addicted mother who abandoned her in infancy. Her paternal grandparents adopted her when she was small.



**Alex Heineman at 15, not long before he was accused of rape. Jan and Don Buchholz**

They were similar that way, and shared an on-again, off-again attraction ever since they met through mutual friends. Discreetly, they followed the bike path through the woods. They kissed. He left a conspicuous hickey on her neck. Then they returned to the YMCA and parted ways.

Forty minutes later, the girl's biological father told police that his daughter had been assaulted.

According to the criminal complaint, the girl said she and Heineman started kissing consensually, but then he grabbed her shoulders with both hands, pushed her forcefully to the ground, and kissed her neck and chest without permission. At one point, he put his hand down her pants and fingered her against her will. She fought to push him off, the girl claimed.

She went to the hospital, where the hickies on her neck were swabbed for DNA that would eventually match Heineman. She turned down a vaginal exam and declined to write a statement.

The next day, Hudson Police called Heineman in to talk.

His story started out the same as the girl's. However, he vehemently denied forcing anything on her, and claimed he never put his fingers in her vagina.

Nevertheless, Heineman was soon charged with second-degree sexual assault, a felony punishable by 20 years in prison.

## **II. Fight and flight**

Kristin Heineman, Alex's mother, asked him if it were possible he misread the girl's signals, given his autism. He'd struggled with interpreting social connotations all his life. And though she believed him when he swore he hadn't coerced the girl, the prospect of 20 years' imprisonment was unfathomable.

She urged him to follow his public defender's advice to plead guilty to a lesser charge of third-degree sexual assault.

"I felt horrible about that," she says now. "Maybe we should have done more. Maybe we could have done something different."

Defense lawyer Christopher Petros—who'd been suspended from practicing law in Minnesota and publicly reprimanded in Wisconsin for failing to adequately represent paying clients—did not respond to City Pages' request for comment.

Heineman's conviction triggered a cascade of collateral consequences that derailed his life.

He dropped out of school, registered as a sex offender, and was ordered to undergo treatment at the Eau Claire Academy, a minimum security facility for teens with mental illness. Once separated from family, he deteriorated rapidly. Like many people with autism, he was hypersensitive to harsh light and discordant sounds. The constant slamming of doors rattled his nerves. An untreated cavity decayed in his mouth.

Kristin kept money in Heineman's commissary for daily phone calls home. On holidays she'd pack up her younger children, make a special meal, and sit with him in a locked room.

Heineman made no progress in treatment. In the world of correctional therapy, an unrepentant sex offender lacks the self-awareness required for reform—a Catch 22 for the wrongfully convicted. Kristin told him to take the path of least resistance and cooperate with

his psychologist, but he was defiant. He didn't understand why he was there. Yet no one believed him when he protested his innocence.

One day Heineman pushed past the unlocked doors of the Eau Claire Academy and ran into the icy Chippewa River, where he tried to drown himself.

"I could run out the door real quick," he recalls. "They chase you down in the van. But I ran and I was like, 'Screw this, no one cares about me.' I was in a dark spot. I started going in the freezing cold river, and I got almost halfway and I couldn't move."

Staff fished him out.

Later he brawled with another boy who kept kicking the leg of his desk in class. They exchanged insults. Heineman slugged him in the face hard enough to warrant stitches and a misdemeanor for battery.

No other school would take him after that. He was transferred to Lincoln Hills, a notorious juvenile prison in Irma, Wisconsin.

By the time Heineman arrived there in May 2018, Lincoln Hills had been under criminal investigation by the U.S. Department of Justice going on three years. Authorities exposed an epic tale of abuse. Guards broke inmates' arms, psychologists destroyed rape reports, and nurses ignored medical emergencies. Wisconsin has since paid more than \$25 million to settle lawsuits from inmates including a boy who had toes amputated after staff slammed his foot in a door, and another who was stripped naked as punishment. The prison was eventually ordered to close by 2021.

Heineman fought with other inmates and tried to kill himself half a dozen times, the circumstances of which he hasn't shared with anybody. After a month, he was hospitalized at the Mendota Mental Health Institute in Madison.

On his 18th birthday, Heineman was released to a halfway house on Randall Street in Eau Claire. His roommates were grown men in their 30s who scared him. The terms of his probation required he apply for jobs, but he'd never had to do that on his own before and didn't know where to start.

"No one told me it's a group home for sex offenders," Heineman recalls. "There were creepy guys that lived with me. Multiple of them were meth addicts. I didn't do no meth. Like these guys would offer me shit."

"So I was dumb. And I was like, 'You know what, I can't do this group home anymore.'"

Within 10 days, he cut off his GPS ankle bracelet, threw it in a bush, and went to couch-surf with a friend in Chippewa Falls. No one came for him. A few days later he realized he couldn't live on his own and turned himself in.

Heineman refused to go back to the house on Randall Street and opted to serve nine months in the Eau Claire County Jail instead. He was allowed work release in the morning, but had to return to jail each night to sleep in a cell. One day he just walked off.

Police caught up with Heineman in Virginia, Minnesota, where he'd gone to stay with another friend. For leaving the state without apprising law enforcement, he was convicted of "failure to update sexual offense registry" as well as "escape"—both felonies.

While Heineman's original conviction of third-degree sexual assault was a juvenile matter and therefore confidential, these charges were very public. WQOW News 18, Eau Claire's ABC affiliate, broadcast his sullen, acne-dappled mugshot under the banner, "SEX OFFENDER FACES NEW CHARGES." The screenshot journeyed across Heineman's hometown of Hudson via Snapchat.

### **III. A tardy confession**

In June 2019, a woman who volunteered as a mentor for disadvantaged youth at the Kinship of Polk County called the Hudson Police Department to report 18-year-old Sierrah Parmeter of Osceola might have falsely accused Alex Heineman of rape.

According to police reports, Parmeter told the mentor she had sex with a boy who wasn't her boyfriend, so she was planning to accuse him of rape in order to save her relationship.

The mentor thought of the Hudson incident two years prior and asked Parmeter if it had really happened as she claimed. Parmeter allegedly admitted it wasn't a true story.

Reports say the mentor then informed Parmeter's grandmother, who was already aware of this new revelation but hadn't come forward. The grandmother said she had consulted Parmeter's social worker Bobbie Jo Mallery, who worked for St. Croix County, about what to do. Mallery allegedly suggested letting it "lie." The mentor could not.

Mallery, a mandated reporter, did not respond to requests for comment.

Hudson Police interviewed Parmeter. According to the report, she said she and Heineman had been planning to have sex when they went for a walk in the woods on May 5, 2017.

They made out. He started giving her a hickey, and at one point stuck his hand down her pants. She told him to stop, so he did and walked away. She said he never pushed her.

"Sierrah told me she knows right from wrong, but that she knew when he was found guilty that nothing had happened, but she felt like she had to go through with everything after reporting it," the detective wrote.

Parmeter's grandmother told police that her granddaughter underwent psychological testing in 2018 to determine why she acts like a child. She blamed Parmeter's behavior on her mother's meth use while pregnant, and the neglect she suffered living in a violent home for the first six weeks of her life before the grandmother obtained custody.

According to the report, the grandmother said it was shortly after this testing that Parmeter began telling people how she'd made up the story about Heineman.

The following month, the St. Croix County District Attorney's Office moved to vacate Heineman's sexual assault conviction due to actual innocence. Circuit Court Judge Scott Needham apologized. At last, Heineman was scrubbed from the sex offender registry.

## IV. Guilty by gossip

When Don and Jan Buchholz settled in Hudson in the 1970s, it was just a small, scenic river town of 5,000. He was a Navy submariner. She taught home economics. The two also ran the historic 300-seat Hudson Theatre on Locust Street and dabbled in local campaigns. The Buchholzes raised three children in Hudson, including Kristin Heineman. Alex Heineman is their grandson.

Jan, a scrapbooker, has compiled volumes of photo albums depicting Heineman's unlikely life. He struggled with literacy up through the 10th grade, but had gifts in other areas. At eight years old he started flying two-seat propeller planes. He also had perfect pitch, which was useful in his choir and Mandarin classes.

Each summer the grandparents took Heineman and his siblings on exuberant excursions to Branson, Missouri and Wisconsin Dells. In their photos, he looks clear-eyed and carefree.

"The boy we sent in didn't come out. I'm not saying he's irrevocably changed, but he could be," says Don. "I don't think so because there's this inner strength that kid has. And he's finding his way, but it's taken so long."

Heineman left the system a hardened 19-year-old with the body of a grown man and the wisdom of a high school sophomore. For six months he wouldn't leave the house. All he'd do was sleep, refusing to say what happened to him.

It didn't matter that he'd been cleared in court. In Hudson, Heineman couldn't shake the reputation of a sex offender. The town became a prison.

People called him from blocked numbers and sent him hate mail from fake Facebook accounts. He deleted his social media. Still strangers came to the door. Someone hurled a slushie at him out of a moving car as he jogged around the neighborhood. At Booster Days, downtown Hudson's Fourth of July carnival, a man shouldered into his face, looking for a fight. Recently he went into Arby's with a friend, and the server pursed her lips and said, "You know he raped a 13-year-old right?"

Kristin Heineman says her friends didn't want their families around hers. Once she took her son downtown for lunch, and somebody yelled, "Child molester!" across a crowded street.

Don says there have been times he'd drive with Heineman and people would flip off the car or scream profanities. Clearing brush in the yard, teenagers would come and threaten to beat him up.

Recently retired Hudson Police Sgt. Glen Hartman says in his 26 years on the force, he's never seen a rape case as strange as Heineman's. It's the opposite scenario for which law enforcement is usually criticized—untested rape kits backed up by the thousands, police insensitivity, and prosecutorial indifference.

Hartman is still haunted by having to tell a woman a couple years back, when the state finally tested her rape exam, that her attacker could have been arrested 10 years prior.

What happened to Heineman was a real outlier, Hartman says. It was the sort of thing he fears for real victims of rape—the rare false accusation that nevertheless looms large in the minds of people looking for reasons to disbelieve women.

Over the past year, many reports of harassment from Heineman’s family came across his desk.

It’s not really cops’ job to shake the public of their strongly held misinformation, Hartman says. But occasionally he’d drop by and talk to Heineman because as his depression spiraled, “The last thing we want to see happen is have him hurt himself, and to have to respond to that.”

“Alex was treated terribly by obviously people in the public and frankly by law enforcement officers,” Hartman says. “And of course you’re marked. It’s the thing books are made of.”

Three large millstones deprived Heineman of a real reset.

First, while the local news broadcast his charges, no one ever bothered to report his exoneration. Half a year later, Googling “Alexander Heineman” would still lead to WQOW’s story calling him a sex offender. The station removed the story in February only after Heineman threatened to sue, and then the Google image of his mugshot remained online for another month.

Next, because Heineman’s original conviction was a juvenile matter, it’s still sealed from public eyes. Anyone attempting to do a rudimentary background check on the Wisconsin Circuit Courts website won’t find any information about his sexual assault conviction—including how it was overturned.

What they will find are Heineman’s adult felonies for “escape” and “failure to update sex offender registry,” which imply he’s a rapist even though he’s no longer on the registry.

In September 2019, St. Croix County Assistant District Attorney Karl Anderson sent a letter to his counterpart in Eau Claire County, asking that Heineman’s Eau Claire conviction for violating the sex offender registry be vacated as well.

“The victim in our case has since recanted and admitted it was a false allegation,” Anderson wrote. “While Mr. Heineman is still technically guilty of failing to comply with the sex offender registry, I believe the interest of justice would call for his conviction to be vacated; but for the false allegation, he would never have been on the registry.”

Seven months went by. Eau Claire didn’t respond.

Wisconsin Innocence Project co-director Keith Findley, an expert on wrongful convictions, says exoneration alone cannot fix all the harm that stems from miscarriage of justice.

Defendants who are totally innocent can still be convicted of ancillary charges like jumping bail and violating probation. The consequences—social ostracism, job loss, public housing denial—are virtually infinite.

Findley recalls another Eau Claire case, that of Evan Zimmerman, who was cleared of murder after the Innocence Project dug up several pieces of important exonerating evidence.

Nevertheless, Zimmerman couldn't get work anywhere due to his noxious reputation. Employers insisted he had to have done something wrong to get charged in the first place.

Judges are often willing to clear a record if the district attorney agrees to it, Findley says. But prosecutors are all different. One who loathes to rescind a conviction could argue Heineman was technically responsible for updating his registration at one point in time even if it's no longer relevant.

"Everything's stacked against you if you're trying to correct an injustice like this," he says. "Common sense is not always captured by the law."

Jan and Don Buchholz were convinced St. Croix's letter was merely buried on some overwhelmed Eau Claire prosecutor's desk. They compiled their grandson's court documents. They were about to drive down to the county courthouse and appeal his case in person when the coronavirus arrived in Wisconsin, forcing them to retreat to their homes.

Now they must wait.

"We'll never know all the trauma from Lincoln Hills and all the jails," says Jan. "And just the fact that all the stuff is just on hold.... It concerns me that St. Croix County hasn't pursued anything to see if they even got the letter in Eau Claire."

"But we don't want to mess it up," Don adds.

"We will still go. But why? Why us?" Jan asks. "Why doesn't the prison system take care of it?"

## **V. The interest of justice**

In March, Sierrah Parmeter was charged with two counts of misdemeanor defamation and one count of obstructing an officer.

Alex Heineman, now considered the victim, was invited to attend her first hearing. He brought his mother to help manage the anxiety.

"Imagine you have a bear in front of you. Your whole body's shaking and you can't move. You can't even look at the person. All that fear comes down your body. That's what it felt like," Heineman recalls.

"If she hadn't lied, I never would have had to go through any of this. I could have had a normal life. I could have been in college by now. I haven't even graduated high school because I've been in the system so long, and no one's helped me get that education I need."

Parmeter didn't respond to requests for comment. Her next appearance is scheduled for May 7 in Judge Edward Vlack's court.

City Pages requested an interview with Eau Claire Assistant District Attorney Benjamin Webster, who prosecuted Heineman for violating the sexual offender registry.

Webster eventually responded by email, saying he believed the conviction was "legally valid at the time it was entered and remains appropriate at this time," because Heineman fought in prison and ran off when he was supposed to be under supervision.



As to whether the conviction was just, Webster declined to elaborate. He wrote, “I am unable to provide details of Mr. Heineman’s underlying St. Croix County case and my understanding of the specific facts and circumstances surrounding that incident as it is a juvenile matter.”

As a result, Heineman gets rejected everywhere he applies for work. Walmart wouldn’t take him. College is an illusory dream. His best shot is to get a GED and learn a trade, like pipefitting. But it’s hard to feel motivated to do anything in a world full of closed doors.

YMCA executive director Chris Kost, who first reached out to Heineman when he was just a 15-year-old regular on the basketball court, says all his co-workers were shocked when they heard he’d been accused of sexual assault. It was so unlike the boy they knew, he says—a sad but otherwise “great kid” who hungered for purpose and a sense of self-worth.

The YMCA can’t have felons working with kids. But Kost says he’d like to have Heineman back as a coach if he ever managed to get his secondary convictions overturned.

“Alex got a raw deal,” he says. “I know there are individuals in the community who still see him as a sex offender. But people are cruel these days. They don’t want to find the truth at all, in most cases. They just assume the worst about Alex. He’s had that uphill battle. It’s sad to see.”

“[Heineman] appeared to me as a young man who had some mental challenges, but was positive, wanted to help people, gullible, and very honest,” wrote YMCA staffer Daniel West in a letter to the Eau Claire District Attorney’s Office. “He has been through so much already, lost two years of his life and deserves a second chance to be a high functioning part of society and our commodity without a felony on his record.”

Recently Heineman went to help the Buccholzes in their yard. Don Bucholz recalls his grandson pulled him aside, broke down in tears, and started unloading some of the things he’d been through for the first time since he returned home.

Heineman’s probation agent recommended he join a victim support group at the St. Croix county courthouse. The meetings helped disentangle some of his bitterness and confusion, but they’re suspended now due to the coronavirus.

There was one silver lining to quarantine. Just before everything shut down, Heineman started dating a young woman he met while out in downtown Minneapolis. For a moment he had his family back, a girlfriend, and a small group of friends who’d taken the time to hear the whole story. He hoped the truth would take root in Hudson someday. But it’s not something he can control.

He said this time last year, he hated Parmeter and couldn’t abide why all she got were misdemeanor charges when he had to live as a felon.

“I’ve had a lot of people do me dirty,” Heineman said. “I learned I had to move on. Why can’t I just forgive some people and not hold this grudge for the rest of my life? It’s just gonna hurt me back.”

Things were falling into place. But then Friday morning around 3 a.m., Hudson Police talked Heineman down from the I-94 bridge connecting Minnesota and Wisconsin, where he’d been preparing to jump into the St. Croix River. He and his girlfriend had just broken up, and he

still hadn't been able to find a job. He was sent to a psychiatric hospital in Amery, Wisconsin and booked under a 72-hour suicide watch.

Heineman was released to his mother Monday afternoon.

"That's the part that's hard, that he's still so fragile," Kristin Heineman says. "Normal 19-year-olds go through break-ups, but for him, things just hurt so much more. How do I protect him and still let him experience all the things that young adults experience, the good and the bad?"

<http://www.citypages.com/news/alex-heineman-was-cleared-of-rape-why-is-he-still-a-pariah-in-his-hometown/569830161>