



October 2, 2009

The Morning News Editorial Board

Tom Stallbaumer, Publisher

Rusty Turner, Editor

Brenda Blagg, Regional Editor

Leeanna Walker, Metro Editor

Joyce Eaton, Human Resources Administrator

In your editorial of October 2, 2009, you said I have some explaining to do concerning Terry Hayes walking away from the courthouse last week. I must respond to this because your editorial is full of incorrect statements and conclusions and you have called into question my personnel's actions and cast a negative light on the Washington County Sheriff's Office and me. I think you and your editorial board have some explaining of your own to do.

It would be helpful if you would take time to read your own reporter's story on this subject that was published on September 25, 2009. I know you glanced at it because you chose to cherry-pick statements from that story and put them in your editorial.

The first thing we need to get straight is the Sheriff's Office had no right or legal authority to detain Terry Hayes, even after he was convicted. There were only two entities that could have caused him to be detained. The Bonding Company could have revoked his bond or the judge could have revoked his bond. Neither did so. Without that, the Sheriff's Office could not have legally detained him. In spite of what you may think, desire, or conclude, law enforcement officers must have a valid reason for detaining or arresting someone.

We would have been very pleased to have grabbed Hayes and lock him up the minute the convictions came back. We had personnel there and we were ready. But the fact remains that Hayes was out on bond and had been for several months and was free to come and go. You also need to be aware there is no guarantee the judge would have revoked his bond immediately after the sentencing. The judge could have allowed him to stay out of jail pending an appeal or could have even given him time to get his affairs in order before reporting for prison.

In reporter Ron Wood's story he reports I told him there was little we could have done to prevent the incident short of a court order remanding Hayes to custody. I guess I should clarify that and tell you there was nothing we could have done.

You have unfairly painted this office and its personnel as having an “inexcusable lapse in both judgment and security.” Instead it is you and your editorial board that had the lapse in judgment because you are making statements such as this based on your opinion only with nothing to back it up.

You claim the public needs a full accounting of what happened. Well I just told you.....again. Now why don't you set the record straight with the public and get your facts right this time.

Sincerely,

Tim Helder
Washington County Sheriff