



# **Alien encounter narratives in judicial proceedings – Part II: Findings**

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# Definition of “alien encounter” (hereafter: AE)

“Alien”, rather than “extraterrestrial”, in this context is meant as a catch-all phrase that includes the theoretical possibility of terrestrial but non-human origins of the related phenomena such as UFOs or UAP.

“Encounter” is a broad term meant to cover all forms of contact, e.g. according to the Hynek/Vallée scales of so-called “Close Encounters” (different stages of sightings, contact with alien entities, up to and including alleged abductions).

## Previous case law?

- February 2023: Search for the terms “UFO”, “UAP”, “extraterrestrial” and “alien” was carried out across the UK and US editions of the legal database Westlaw, as well as the search engines of the British and Irish Legal Information Institute (BAILII) and (in German) the German Westlaw equivalent Juris .
- Initial caveat: The official case reporting practice – especially via searchable online media – for lower-tier courts will differ significantly from country to country, which will inevitably affect the number of cases any online search might turn up.
- Certain case categories may also be classed as confidential to the court and parties, due to the subject matter, i.e. mental health, juvenile delinquents etc. and therefore not be reported.

# Results

- Results divided into FOI, mental health proceedings (MH) and ordinary cases (OC). MH cases relate to persons being sectioned or otherwise treated under mental health regulations. OC cases are what one might call “normal” court proceedings and may range from criminal to civil, employment or social security law etc.
- Unavoidable overlap with MH cases when a defendant’s mental state was examined, for example, in criminal cases when a plea of insanity had been made or in the context of sentencing or parole proceedings.
- This selection is neither comprehensive nor representative of the wider global picture, but it is at least indicative of the situation in certain countries.

# Results

First striking result: Entire search on Westlaw UK did not turn up one single hit.

More or less the same applied to the German Juris database, where only three administrative tribunal FOI cases were found.

Westlaw US search alone resulted in numerous state and federal cases that had some link to AE, often UFO sightings or encounters with aliens, including abductions, but sometimes only views and opinions about aliens etc.

FOI (15) and MH (13) cases found across the different databases and search engines combined were far fewer than the US OC (64) cases alone. It was therefore not useful to analyse them statistically. However, the remaining number of US OC proceedings offered itself for a somewhat closer statistical look.



# FOI Litigation

There have been a number of FOI cases in the USA, brought against different sections of the government or the CIA etc., one of them even reaching the US Supreme Court, none of which succeeded in obtaining more information than was provided by the defendant authorities in their own FOI searches.

One common theme was that the mere allegation that an authority had more information than they were sharing based on what they said was an exhaustive search, was not enough to warrant a more incisive judicial intervention (so-called fishing expeditions).

The same fate was shared by a few UK and Irish cases. One German case succeeded but brought no confidential information to light.

# Mental health cases

- WestLaw search resulted in just ten cases from the USA.
- Majority of these cases can be classified as general psychiatric delusions where the extraterrestrial aspect may have any number of reasons. The only case where a somewhat more than nebulous reference to a historic event could possibly have been present, is *Batts v. Boganoff*, which mentions the alleged abduction of Batt's mother in the 1940s.
- The only other cases found were two from the Victoria Mental Health Tribunal (VMHT) and one from the Victorian Mental Health Review Board (VMHRB). The two from the VMHT of 2015 contained no more than general references to extraterrestrials, whereas the finding of the VMHRB from 1998 has extensive references to the influence which the 1995 book "Hidden Mysteries – Ets, Ancient Mystery Schools, and Ascension" by Joshua David Stone had on the patient's mental illness.
- Again, no link to a distinct AE could be found.

## Ordinary cases

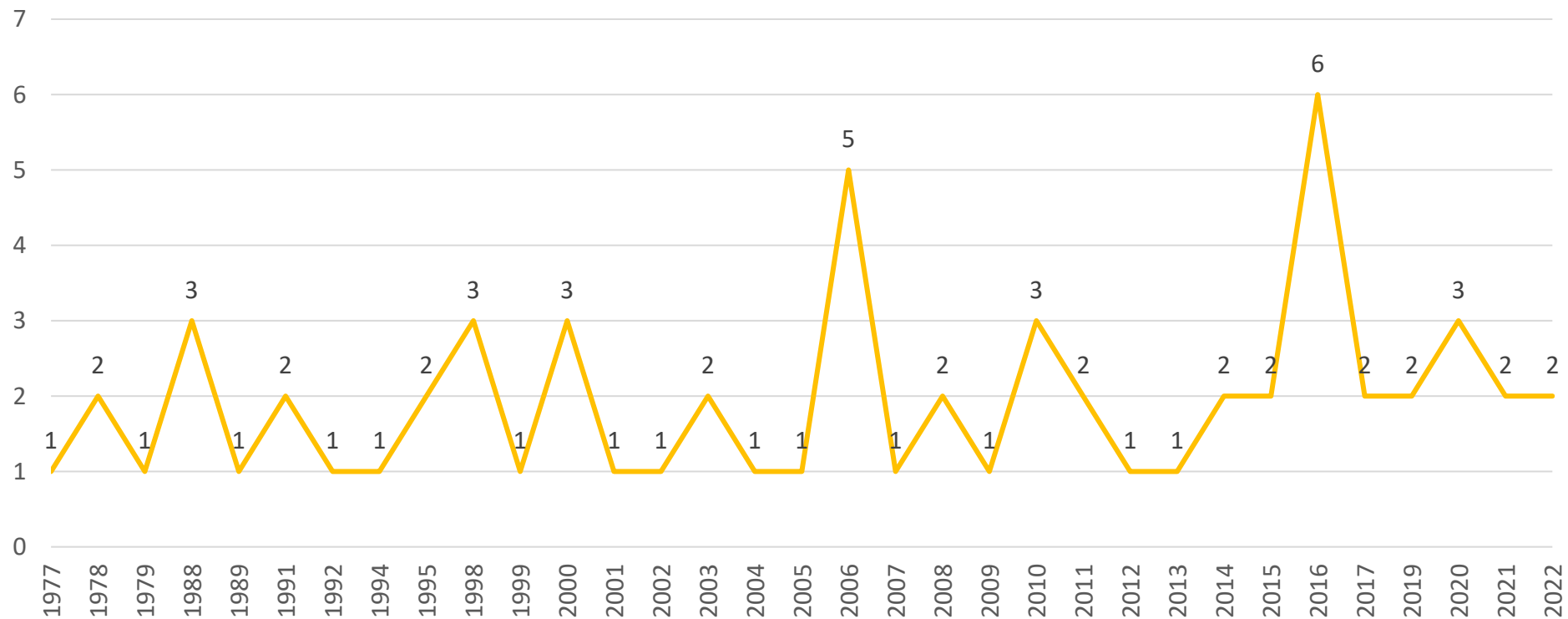
- Focus on the US cases.
- It is worth mentioning though, that related cases also occurred in the ECtHR, the UK, Germany, and Australia - including the wonderfully named *Prosser v Trustees of the Roman Catholic Church for the Diocese of Wagga Wagga*



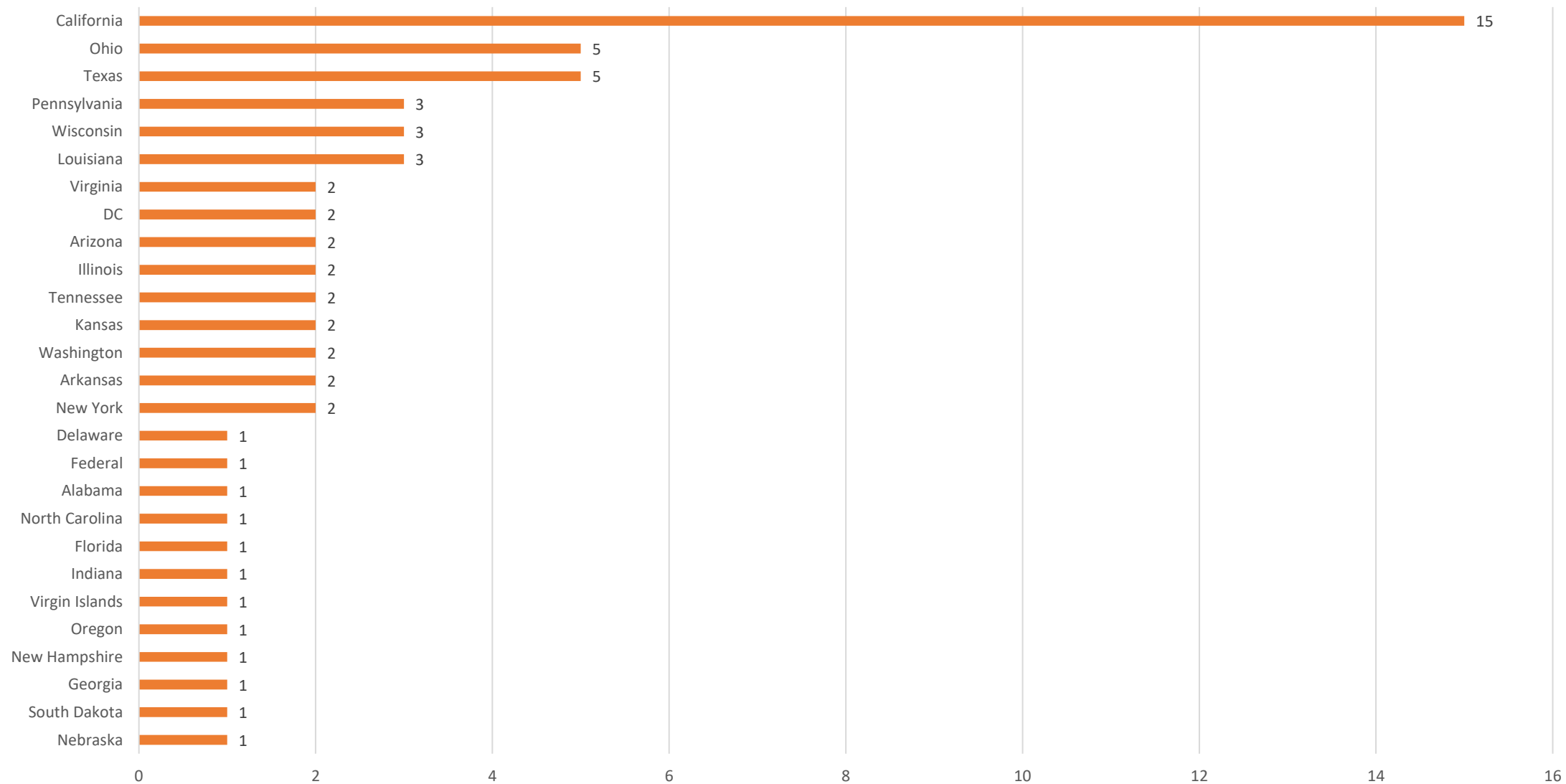
# US ordinary cases

The data from the WestLaw search in February 2023 for US cases resulted in 64 cases from 1977 to 2022. Figure 1 shows the distribution across the years.

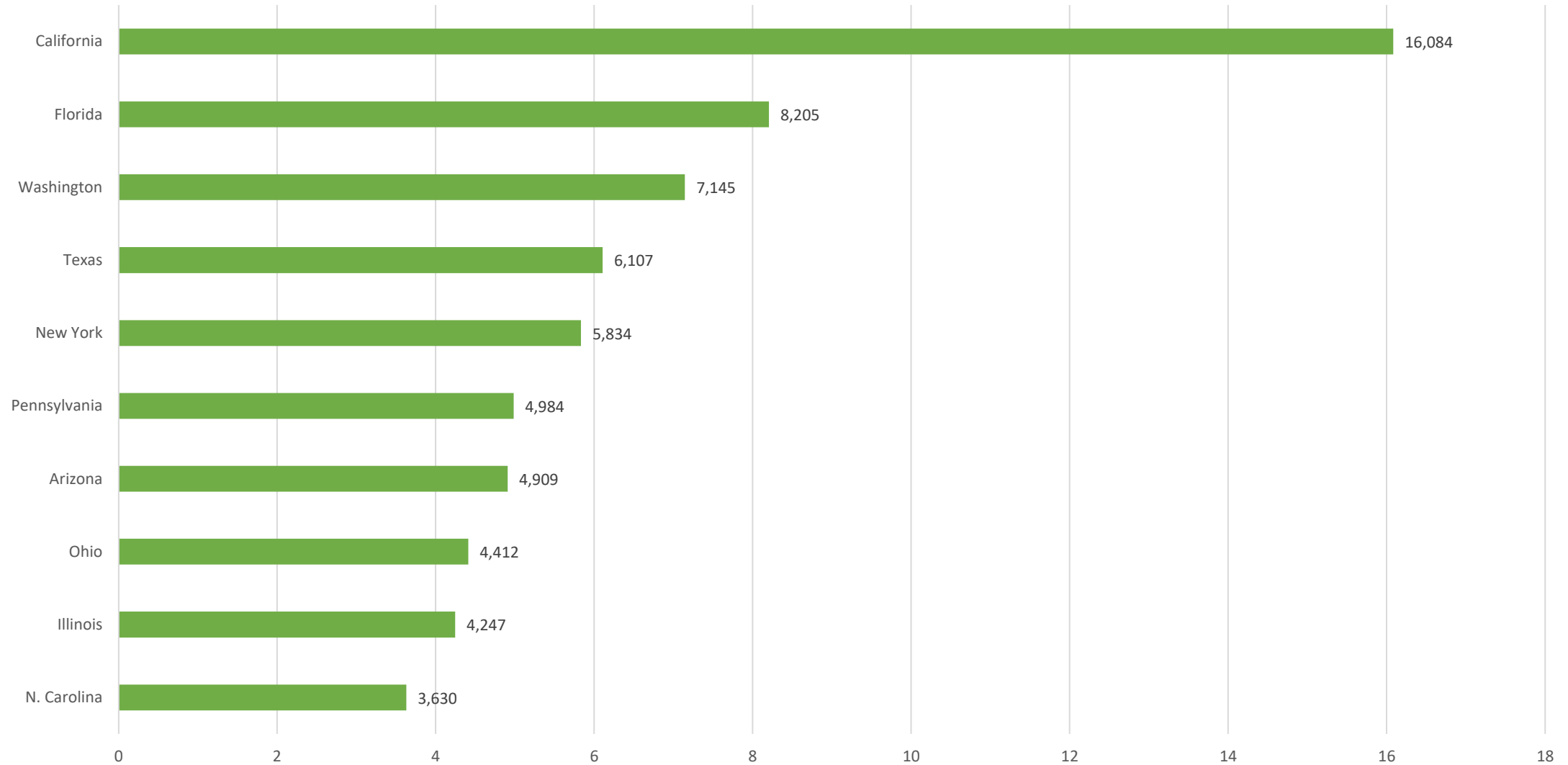
Figure 1



## US ordinary cases – Geographical origin of cases by state



# UFO sightings in USA: Top Ten states (Robledo 2023)



## Relationship sightings to case law

- Conspicuous, although not exact, correlation between the top ten states ranking of case numbers and the top ten ranking of sightings: Six of the top ten states regarding reported case law are also in the top ten of sightings.
- None of the cases dealt with an AE as the actual basis for the proceedings. However, a variety of previous AE figured in evidence given during the trials etc., namely opinions about ETI or UAP, alleged artefacts, communications or contact with aliens or UFOs, and search for UFOs.
- Figure 4 shows the distribution of the diverse categories of AE referred to in the cases.

# Figure 4 – Categories of AE referred to in cases

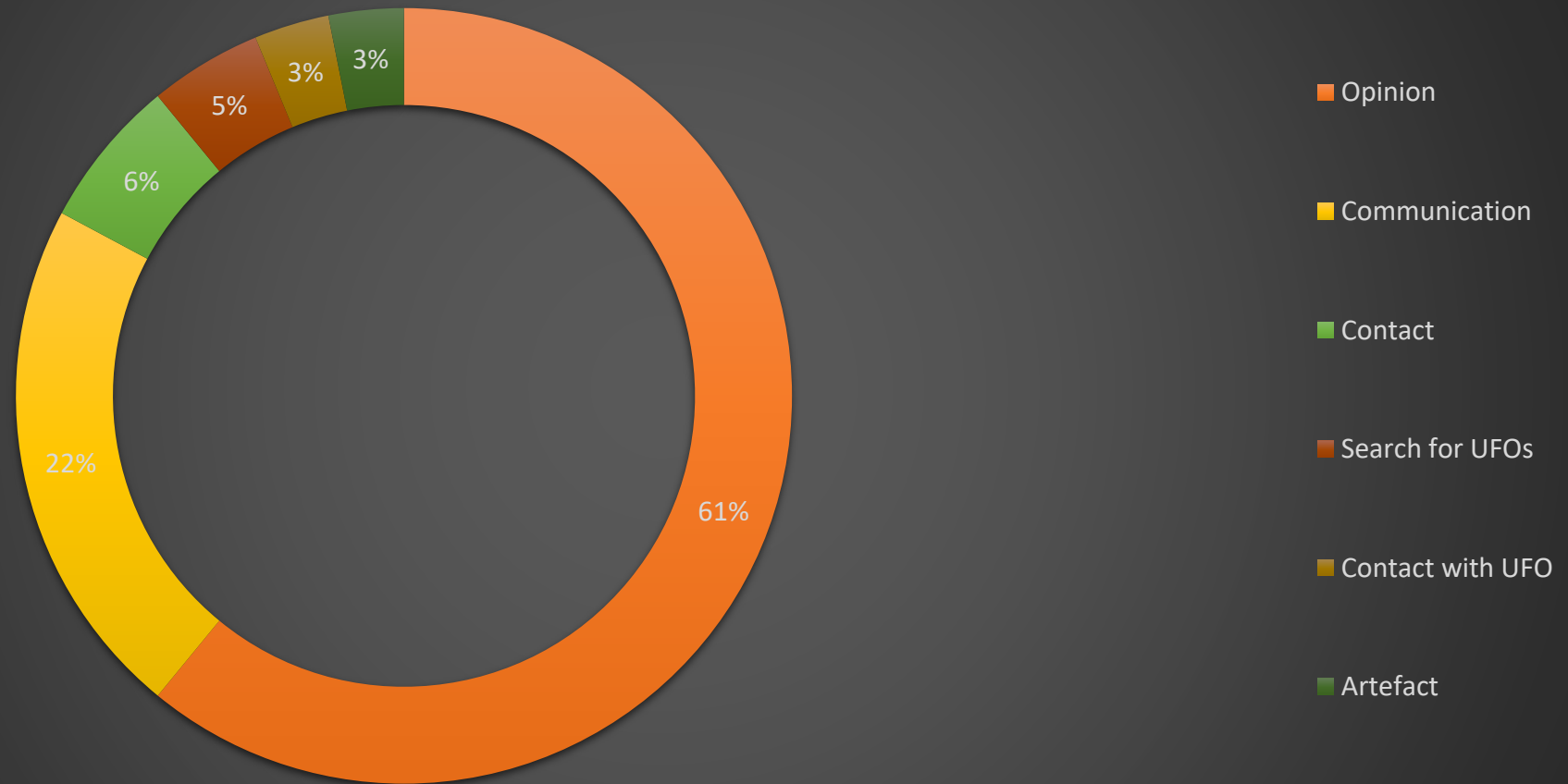
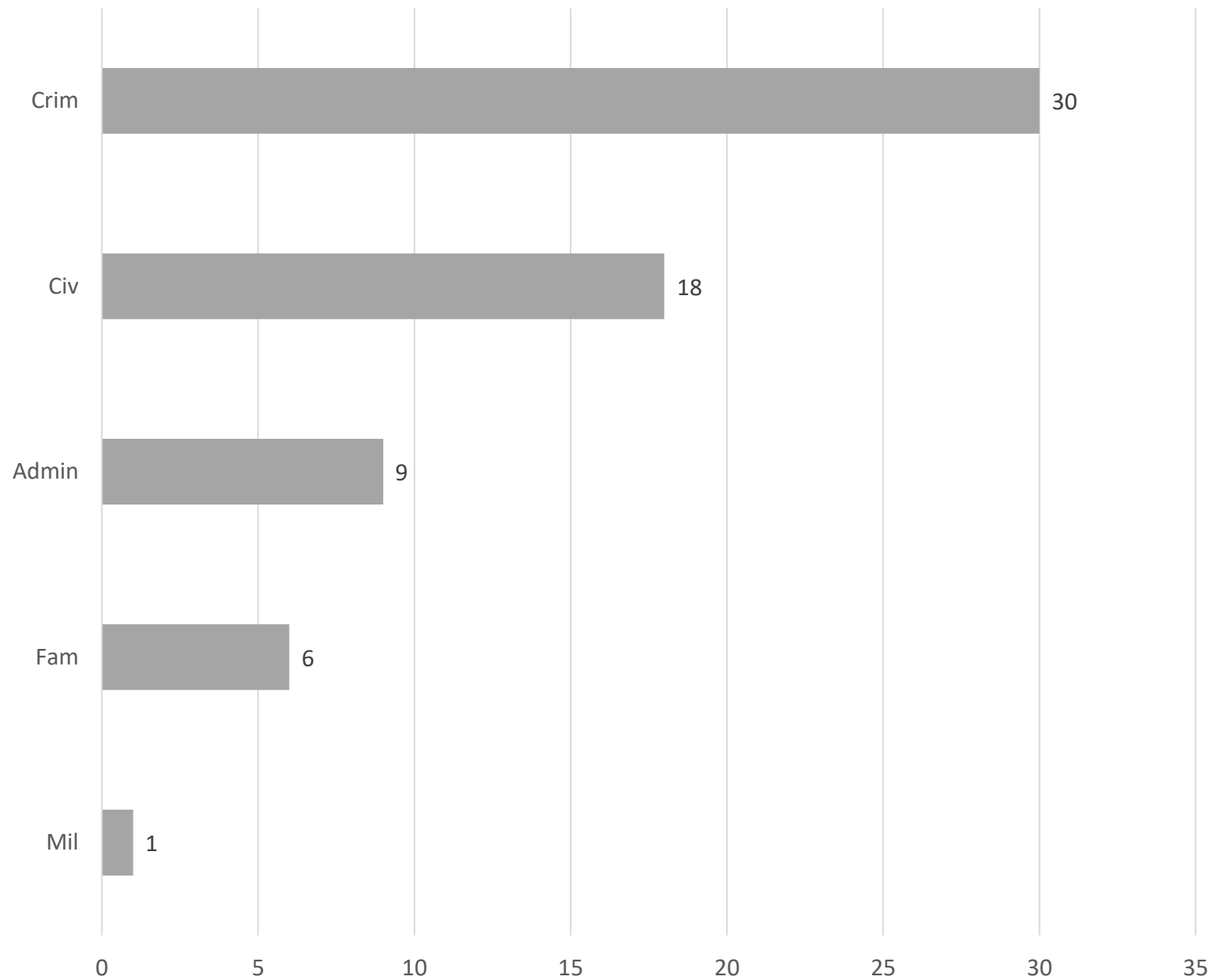




Figure 5 –  
Types of cases



## Overall impression

- Criminal cases were thus in the clear majority, with a certain substantive overlap to mental health cases, because the proceedings often dealt with the question of whether the defendant was mentally responsible for her actions, or possibly insane in the legal sense. The same can be said of administrative cases which may deal with a person being sectioned.
- Given the many hundreds of thousands, if not millions of cases every year in each state of the USA, 64 (reported) proceedings across 45 years is a rather homeopathic quota.

## A few quotes from cases

In *In re E.I. du Pont de Nemours and Company C-8 Personal Injury Litigation*, the court opined as recently as in 2016:

*“...For example, no scientist has ever found extraterrestrial life.....But, the scientific method would preclude saying that extraterrestrials do not exist—only that there is no verifiable or known scientific finding of their existence....”.*

## Quotes

In 2009 in *Walton v. Walker*, the court even acknowledged Erich von Däniken:

*“...This Court has no problem dismissing a prisoner’s complaint “about little green men,” [...] but—at the same time—it is worth noting that author Erich von Daniken once captured the popular imagination (and many believers) with his book “Chariots of the Gods?” in which he claimed that the Earth had been visited by extraterrestrial beings....”.*

## Quotes

In *Konsionowski v. Sikorski*, a case from 2022, the court addressed the question of whether a police officer had a constitutional duty to disprove the existence of aliens in order to proceed with an arrest merely because a suspect made a far-fetched reference to that effect:

*“For example, Konsionowski might have told Officer Sikorski that he appeared impaired because he was a Martian suffering under the crushing force of Earth’s harsher gravitational forces. In that situation, the Fourth Amendment would not require Officer Sikorski to conclusively disprove the existence of extraterrestrials in order to execute an arrest”.*



## Quotes

Still, a certain occasional involuntary comedy value in some cases cannot be denied. In *Peoples Bank & Trust Co. of Mountain Home v. Globe Intern, Inc.* from 1992, for example, reference was made to

*“CHURCHILL’S CLOSE ENCOUNTERS WITH UFO ALIENS— the article discloses that, although Winston Churchill implored them to do so, they declined to help the world defeat Hitler”.*

# Fun fact

Churchill *did* ruminate about extraterrestrial life.

Churchill, W. (1931). Fifty Years Hence, The Strand Magazine (December 1931).  
[www.nationalchurchillmuseum.org/fifty-years-hence.html](http://www.nationalchurchillmuseum.org/fifty-years-hence.html).

Livio, M. (2017). Winston Churchill's essay on alien life found, Nature, 542, 289–291.

# Summary

Impression from looking at the sparse case law:

- actual AE were not the object of any of the proceedings,
- but at best AE of different kinds were referred to as “background material”.

The cases do therefore not offer any guidance on how our research question, the influence of actual, real-time AE on judicial proceedings, is to be approached.

We will thus have to proceed to hypothesise on the basis of general principles of law and judicial practice.

# Paper

For more detail, see

*Journal of Anomalistics* 24 (2024), No. 2,  
pp. 427–468 (open access)  
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**Alien Encounter Narratives in a Forensic  
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THANK YOU FOR YOUR ATTENTION!

