

CRIMINAL JUSTICE COMMITTEE

Non-Action by District Attorney

Citizen Complaint #C41-02/03

Reason for the Report

A citizen's complaint alleges the District Attorney failed to perform his job because he did not prosecute the alleged leader of the Women Helping Women organization in El Dorado County.

Scope of the Investigation

The members of the Grand Jury interviewed:

- The Complainant;
- Various participants of Women Helping Women;
- Law Enforcement Officials from El Dorado County, Placerville, and South Lake Tahoe;
- Deputy District Attorney for El Dorado County.

The Grand Jury also reviewed:

- Various written information including newspaper articles, Women Helping Women Newsletters, Faxes, notes provided by Women Helping Women participants;
- Law Enforcement Reports;
- Video tape of national television program featuring Women Helping Women type of organizations.

Background

Women Helping Women, determined by the District Attorney to be a pyramid scheme in violation of Penal Code 327, started operations in Placerville during the year 2000. Subsequently the organization moved from the Placerville City limits to various locations on the Western Slope of El Dorado County during 2001. This shift in location changed the jurisdiction from Placerville Police Department to the El Dorado County Sheriff's Department. The Women Helping Women activities then moved to Sacramento and Placer Counties. While a similar organization was started in South Lake Tahoe, it did not flourish.

Five participants of the El Dorado County Women Helping Women met with the District Attorney on February 13, 2002, to discuss the legality of the organization. During the meeting the District Attorney advised the group that Women Helping Women was a pyramid scheme and unlawful. He informed the participants that, if they stopped all their group activities in El

Dorado County as of that date, no charges would be brought against them. The alleged head of El Dorado County Women Helping Women was included in the offer as she was one of the five women in the meeting with the District Attorney.

Our investigation revealed it was difficult to substantiate the facts in the case. Individuals would use only first names and an initial for last names on Women Helping Women documents. To further complicate identifying the participants, many individuals did not use their real names, signed up friends and relatives without their knowledge, and blackened out names and phone numbers on documents. When asked to give names of witnesses, the information was refused because the individuals did not want to involve others. Also, it was difficult to prove the actual monetary value involved as all transactions were paid in cash.

There was an investigation underway by the Placerville Police Department when Women Helping Women moved activities out of their jurisdiction. Their investigative report was sent to the District Attorney.

The El Dorado County Sheriff's Department formed a task force comprised of two Sheriff's Detectives and one investigator from the District Attorney's Office in October 2002. The result of the investigation, which was conducted by the two Sheriff's Detectives, did not have sufficient evidence for criminal action. The investigative report was forwarded to the District Attorney's Office.

During our interview with the Deputy District Attorney, the Grand Jury was informed the Deputy District Attorney had reviewed the reports from both the Placerville Police and the Sheriff's Departments and determined there was insufficient evidence for further action. The reports, with the Deputy District Attorney's recommendation for no action, were given to the District Attorney for final review.

Findings

- F1. Investigations were conducted by both the Placerville Police Department and the El Dorado County Sheriff's Department into the activities of Women Helping Women in El Dorado County.
- F2. The Placerville Police Department and El Dorado County Sheriff's Department investigative reports were forwarded to the District Attorney.
- F3. On February 13, 2002 meeting with five members of Women Helping Women, the District Attorney advised the women no action would be taken if they stopped all group activities in El Dorado County as of that date.
- F4. The alleged head of El Dorado County Women Helping Women was one of the five women who met with the District Attorney and was told no charges would be brought against her if she stopped all her activities in El Dorado County as of that date.

F5. The District Attorney has not taken any action against any members of Women Helping Women in El Dorado County.

Responses Required to Findings

F3 through F5

El Dorado County District Attorney

No Recommendations