

Government of the District of Columbia

OFFICE OF THE CORPORATION COUNSEL

JUDICIARY SQUARE

441 FOURTH ST., N.W.

WASHINGTON, D. C. 20001



IN REPLY REFER TO,

L&O:LNG:lng
(93-445-L)

November 19, 1993

Leroy J. Thorpe, Jr.
commissioner, ANC 2-C
1544 Marion street, N.W. #203
Washington, D.C. 20001

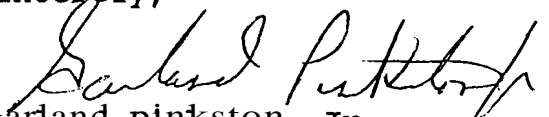
Re: How may ANC 2-C pursue criminal charges against
executive assistant who has embezzled ANC funds?

Dear Commissioner Thorpe:

This is in reply to your November 9, 1993 letter to Assistant Corporation Counsel Leo Gorman in which you seek the advice of this Office concerning an alleged theft of Advisory Neighborhood Commission 2-C funds.

You state in your letter that the "executive assistant for Advisory Neighborhood commission 2C has admitted embezzling \$500.00, or more of the ANC 2C D.C. Government appropriated monies from ANC 2C...". You request advice on pursuing criminal charges against this person. The embezzlement of ANC Funds would fall under the crime of theft as defined in section 111 of the District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982, D.C. Law 4-164, D.C. Code § 22-3811 (1989). The penalties for theft are set forth in section 112 of that act, D.C. Code § 22-3812 (1989). Prosecutions for violations of the theft statute are brought in the name of the United States by the United States Attorney for the District of Columbia. Thus, if you wish to pursue criminal charges against this person, you should present the facts to the Metropolitan Police Department or to the United States Attorney for the District of Columbia, or both.

Sincerely,


Garland Pinkston, Jr.
Deputy Corporation Counsel
Legal Counsel Division

cc: The Honorable Harold Brazil
Regena Thomas