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Pimping case killed; tainted cop was chief witness

Justin Berton, Chronicle Staff Writer
03/23/11

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Contra Costa County prosecutors dropped criminal charges against a suspected madam because of credibility problems with their main witness - a state narcotics agent recently charged with stealing drugs from evidence lockers.

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It is believed to be the first criminal case dropped because of connections to Norman Wielsch, 49, a state Department of Justice agent who until last month commanded the multiagency Central Contra Costa Narcotics Enforcement Team. It may not be the last, however - the county district attorney's office said as many as 40 cases with ties to Wielsch are under review.

Wielsch was arrested Feb. 16 and charged with 25 felony counts connected to the alleged theft of methamphetamines, marijuana, steroids and prescription pills from law enforcement evidence lockers.

Authorities believe he passed the stolen drugs on to his close friend Christopher Butler, 49, a former Antioch police officer-turned-private investigator, who then located buyers.

Both Wielsch and Butler pleaded not guilty to charges of stealing and selling drugs, and both remain free on bail.

Wielsch's multiagency team targeted prostitution outfits in addition to drug rings. Wielsch played an undercover john during a July 2009 sting at the Excel Massage Therapy parlor in San Ramon that led to two arrests and netted \$125,000 in seized assets.

Deputy District Attorney Gary Koeppel said the case hinged on the testimony of the former task force leader, who reported that he was solicited for sex as he lay on a massage table.

In his arrest report, Wielsch wrote that he could not bring an audio or video recording device into the room because the parlor was outfitted with transmitters to detect electronic surveillance equipment.

"It's unfortunate that Mr. Wielsch's activity has impacted our ability to go forward with

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prosecution," Koepfel said. A judge dismissed the case Thursday at Koepfel's request.

Koepfel said that he planned to prosecute at least two cases connected to Wielsch's team in the coming weeks, but that Wielsch was not directly involved in the arrests. "At this point I have no plans on dismissing those cases," he said.

Robert Cummings, who represented the woman cleared of a misdemeanor pimping charge, said his client sold the business after her arrest. The woman is still trying to recover the \$125,000 that the county seized from her, he said.

"It's a shame when law enforcement defies the public trust," Cummings said. "It echoes throughout the judicial system."

Wielsch's attorney, Michael Cardoza, was not surprised by the district attorney's decision.

"Certainly, Wielsch's credibility would become the focus of any trial," Cardoza said. "The D.A. has made a sagacious decision to dismiss this case."

The attorney said Wielsch was having financial troubles caused in part by his daughter's medical problems. Cardoza said Wielsch has assisted investigators and took "early responsibility" for his actions.

Butler's attorney has made no such admission on his client's behalf.

In addition to the drug charges, a prosecutor said in court that Butler orchestrated "dirty DUIs" - hiring women to get male investigative targets of his firm drunk at bars, then arranging with law enforcement friends to have the men arrested for drunken driving.

A sheriff's deputy who allegedly worked with Butler has resigned, but no charges have been filed in connection with the arrests.

Wielsch and Butler are due back in court April 21 for a preliminary hearing.

E-mail Justin Berton at jberton@sfgchronicle.com.

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