

OFFICE OF THE  
**DISTRICT ATTORNEY**  
COUNTY OF SANTA BARBARA  
  
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February 13, 2009

The Santa Barbara County District Attorney's Office has concluded its review of the Tea Fire investigation. Staff from the Santa Barbara County Sheriff's Department, Santa Barbara County Fire, California Department of Fire and Forest Protection, and the District Attorney's Office have worked continuously since the fire occurred on various aspects of this complex investigation.

We thank our partner agencies for their efforts in thoroughly and professionally investigating the circumstances surrounding the fire. A team of District Attorney personnel, including the District Attorney, Chief Assistant District Attorney, Chief Trial Deputy, Chief Investigator, and three Senior Deputy District Attorneys, have been meeting on an ongoing basis for the purpose of analyzing the reports and the evidence.

Before detailing the results of the investigation, we will briefly address the question as to why the names of ten individuals who participated in a campfire at the Tea Gardens were not immediately released. The sole reason was to protect the integrity of the investigation so as not to compromise or possibly taint sources of information or the ability to corroborate information. This is standard investigation operational procedure for criminal investigations. Any suggestion that those under investigation were receiving special treatment is simply untrue. In no instance has this office received pressure from any source to either protect the individuals or shield them from being known by the community.

Before the District Attorney's Office received any investigative reports, there was a public perception that ten college-age individuals started the Tea Fire. In accordance with standard prosecution agency practices, this office began its review of the matter with no preconceived opinion as to who or what caused the fire.

The Tea Fire erupted on November 13, 2008, at approximately 5:45 p.m. There is evidence that a campfire occurred at the Tea Garden between midnight and 4:00 a.m. that morning. However, the existing evidence does not establish proof beyond a reasonable doubt that this campfire in fact caused the Tea Fire. It is the ethical and legal responsibility of the District Attorney's Office to prosecute only those cases where proof beyond a reasonable doubt exists. Therefore, the ten individuals cannot be criminally charged with starting the Tea Fire. Whether the evidence would be sufficient to meet the much lower burden of proof in any possible civil action is beyond the scope of our mandate and we therefore express no opinion on that issue.

Additionally, during the twelve to fourteen hour period from when the campfire was purportedly put out to when the Tea Fire began, numerous citizens reported seeing persons or vehicles in the vicinity of the Tea Gardens who they believed were responsible for starting the fire. This information was subject to intense scrutiny by personnel from the District Attorney's Office, Fire Department and Sheriff's Department. In the course of the investigation, dozens of persons were interviewed and re-interviewed. We have carefully and thoroughly analyzed all the evidence.

The evidence developed by this extensive investigation does not establish, beyond a reasonable doubt, who is responsible for the Tea Fire. However, criminal charges will be filed against the ten individuals who participated in the campfire at the Tea Garden. Misdemeanor charges of criminal trespass and unlawfully building and using a campfire without the permission of the owner of the Tea Gardens property will be prosecuted by this office.

The Tea Fire has been a traumatic event for our community. Two citizens were seriously injured as a result of the fire. A large number of homes have been destroyed and a significant number of persons had to evacuate their residences. It will take considerable time for the community to recover from this devastating experience. All of those affected have our deepest sympathy and support as we look to the future.