

Sacramento County District Attorney's Office

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Non Violent Parole Review Process Board of Parole Hearings Correspondence – NV P.O. Box 4036 Sacramento, California 95812-4036

Re: Pappadopoulos, George CDCR No. AY8654 Court Docket No. 14F00250

The District Attorney opposes inmate Pappadopoulos' premature release. The nature and circumstances of his commitment offenses, his criminal history, and the particulars of his background and character clearly prove he poses an unreasonable risk of violence to the community.

Pappadopoulos' commitment offenses were not violent, but they were serious, unbelievably numerous, and caused significant adverse effects on a wide swath of the community. He was charged with having committed forty-eight felony offenses and six misdemeanors, the vast majority of which were for defrauding individuals and small businesses by uttering worthless checks. He was also charged with one felony count of financial elder abuse and two felony counts of grand theft.

For the better part of a year, Pappadopoulos engaged in an ongoing fraudulent scheme that caused over \$175,000 in losses to dozens of individuals and small businesses in Sacramento. Some of the named victims included: Maita Nissan; Maita Toyota; Maita Subaru; T&Y Tires; De Soto Sales; Natomas Tire & Auto; McCreery's Furniture; Tom Duffy Flooring; On the Road Trucks; Pacific Flooring; S&G Carpet; Van's Carpet; Radial Tire; Silva's Tires; Avelina's Tires; Merchants Carpet; MK Auto; Haggin Oaks; Gold Star Insulation; iFit Golf; PPG Paints; Precision Cleaning Systems; Bliss Power Equipment; Acme Power Saw; Folsom OK Tire; Site for Sore Eyes; Jiffy Lube; Marsh's Carpet; Dunn Edwards Paints; Checksmart; Hobrecht Lighting; Lofings Lighting; and Hooten Tires.

The extent of his crimes, coupled with his extensive criminal history, yielded a maximum possible sentence that would have exceeded 70 years in state prison. By stipulated agreement among the parties, Pappadopoulos was sentenced to serve 20 years and four months. So far, he has only served about five and a half years.

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The inmate's commitment offenses demonstrate his dedicated disregard for the law, but his criminal history exposes the serious and unreasonable risk of violence he poses to the community.

His strike offense was violent. On September 24, 1993, he was convicted of a felony violation of Penal Code section 243(d) (battery causing serious bodily injury). In that case, a fourteen yearold boy was seated in the passenger seat of his friend's car with his window down in a fast-food restaurant parking lot. Pappadopoulos – then an adult standing 6'1" tall and weighing 200 pounds – arrived at the parking lot accompanied by about ten of his friends. The boy's friend said, "Hi," to him. Pappadopoulos approached the boy and yelled, "What are you looking at!?" The boy told Pappadopoulos that he wasn't looking at anything. Pappadopoulos, a grown man, punched the vulnerable, seated, and unarmed boy squarely in his face. The boy's left eye immediately erupted in pain. He doubled over to protect his face from further assault, causing the defendant's next blow to strike him in his back. Pappadopoulos "kept yelling and acting real crazy," and told the boy's friend, "Get him out of the car before I kill him."

The victim was hesitant to report the violent attack. He explained to responding police officers, "I was afraid of George. He's got a violent temper, and it is well known that he carries a gun in his vehicle."

The victim suffered permanent eye damage.

The victim's belief that the defendant was known to carry a gun in his car was corroborated.

Pappadopoulos was already on probation at the time of the offense. Investigating officers contacted his probation officer to help find Pappadopoulos, but they determined Pappadopoulos fled the country the day after the attack.

Following his conviction, Pappadopoulos was granted five years formal probation and ordered to serve 270 days in the Sacramento County Jail. His request for work furlough was denied by the Court. Nevertheless, a Sacramento County Jail Incident Report indicates that the defendant tried to bribe a Court Coordinator to get work project.

¹ Information regarding the inmate's criminal history is based upon his CII "rap sheet"; his "multi-state rap sheet"; past probation reports; offense reports; and court documents.



His violent (as well as his non-violent) recidivism continued into adulthood. As indicated above, Pappadopoulos was convicted in 1993 of the battery causing serious bodily injury to the fourteen year-old boy in the car.

That same year, Pappadopoulos participated in another violent offense – the group beating of a different boy (this one sixteen-years-old) at a park. This victim sustained abrasions, swelling, and bruising to his head, face and neck. Based on that conduct, Pappadopoulos was charged with another violent felony; however, the case was ultimately dismissed with a *Harvey* waiver in light of his plea to the strike offense against the fourteen year-old boy in the car.

In 1994, Pappadopoulos violated his probation on the strike prior case by failing to follow the reasonable directions of his probation officer and by committing yet another battery in violation of Penal Code section 242.

In 1995, according to a probation report, Pappadopoulos committed violations of Vehicle Code sections

14601(a) (driving on a suspended licnese) and 23103 (driving with a willful disregard for safety).

In 1996, in two separate cases, he was convicted of violations of Vehicle Code sections 12500(a), 14601.1, and 14601.5.

In 1997, he was convicted of a violation of Vehicle Code section 14601.1.

In 1998, he was convicted of two more violations of Vehicle Code section 14601.5.

In 1998, he was convicted of a misdemeanor violation of Vehicle Code section 23152(a), and sentenced to ten days county jail. That was the first of his three DUI convictions.

In 1998, Pappadopoulos threatened a young woman who worked in a law office where he was a client. He called her and threatened her, stating, "I'm tired of [the attorney] and you fucking with my life, and if you care about your kids, leave now, because I'm going to blow the place up!" Like the fourteen year-old boy in the strike prior, the young woman in the law office told the investigating officer, "George has a temper and I feel he would carry out what he said he would do." The attorney also received numerous phone calls from Pappadopoulos that same

day. The attorney asked an employee to tell Pappadopoulos that he was unavailable. During the employee's conversation with Pappadopoulos, the attorney heard Pappadopoulos say, "I'm gonna' fuck him up!" and "I'm gonna' fuck up the law office!"

As a result, Pappadopoulos was charged with two violations of criminal threats in violation of Penal Code section 422. Ultimately, that case was dismissed in lieu of a probation violation on his strike offense, and he was *sentenced to four years state prison*.

In 2001, Pappadopoulos violated parole.

In 2002, he again violated parole.

In early 2003 – while still on parole – Pappadopoulos was convicted for a second time of driving under the influence, and driving with a revoked license.

In November of 2003, approximately one week after getting off parole, a Sacramento County Sheriff's Deputy responded to a call at Pappadopoulos' residence. Pappadopoulos was unsteady on his feet, had bloodshot eyes, smelled of an alcoholic beverage, and admitted that he was "hammered." He was observed to be behaving belligerently. Pappadopoulos told his mother to "fuck off' and threatened her boyfriend.

In 2004, while still on probation, Pappadopoulos was charged in a fourteen-count felony fraud complaint in Placer County. He was convicted of two felony violations of Penal Code section 476a(a) in 2005. He was again placed on probation-this time for four years-and ordered to serve 120 days county jail. That jail time was to run consecutive to the sentences imposed in *two other* Placer County criminal cases that were also pending at the time.

The first of the other pending Placer County cases was a violation of Vehicle Code section 14601.2(a). On June 9, 2004, Pappadopoulos was pulled over for a traffic violation and was again caught driving a vehicle even though he knew his license had been revoked due to a prior DUI conviction.

The second of the other pending 2005 Placer County case was his *third* DUI. This DUI conviction stemmed from a *domestic violence* 911 call. On July 12, 2004, an anonymous citizen reported to the Roseville Police Department that a man was *beating a woman* inside a parked vehicle. En route, police dispatch updated the officers that the vehicle was no longer parked and was on the move. Officers followed the vehicle, which had no license plates. They attempted to make a traffic stop when the vehicle was stopped at a red light; however, as the officer walked up to the car, the light turned green and the vehicle sped off through the intersection. The officers were able to stop the car numerous blocks away.

Pappadopoulos was the driver. He was drunk. The officers noticed that the female passenger was crying and upset. She was bleeding from her mouth and she had scratches and red marks around her mouth and chin. She also had scratches and red marks on her legs. The officers saw blood on the outside of the vehicle on the passenger side, and blood inside the vehicle where the woman had been seated, near the glove box and passenger door. She told the police that she was engaged to Pappadopoulos and they got into an argument at a relative's house which culminated in Pappadopoulos pushing her into the car. She then refused to answer more questions, stating that she didn't want him to go to jail.

Pappadopoulos was arrested. At the jail, his breath alcohol level was tested. It was well over the legal limit. Nevertheless, Pappadopoulos requested the officer not arrest him for DUI. The officer denied his request. Undeterred, Pappadopoulos asked if he could just wait an hour and do breath alcohol test again.

Officers questioned him about the domestic violence. Notwithstanding the fresh blood on the glove box and the interior door of his car, and the fact that there were only two people in the car, Pappadopoulos claimed he didn't know how his fiance's lip started bleeding. The domestic violence charge was dismissed with a *Harvey* waiver, and he was convicted of his *third* DUI.

In a report addressing the three Placer County cases together, the 2005 Placer County Probation Report stated:

The defendant's prior record dates back to October of 1993. His progress on probation was unsuccessful and he was ultimately sentenced to state prison based on his felony 243(d) PC charges. Additionally, the defendant violated his parole on at least three occasions after being released. His progress on both a grant of probation and parole would be considered less than satisfactory.

The report continued, "The defendant's prior record of criminal conduct indicates a *pattern of serious criminal conduct*." (Emphasis added.) With respect to the check fraud felony convictions, the probation report confirmed that the defendant "expressed very little remorse..."

Nevertheless, the 2005 probation officer took a chance on leniency in his report, writing: "In the past, the defendant has been unsuccessful on probation and parole, and again his behavior has put him before the court. However, it now appears the present offense(s) have frightened the defendant enough for him to realize he needs to become more responsible and make positive choices." The probation officer was wrong. Pappadopoulos was later convicted of more crimes which culminated in the current sentence of over twenty years in prison based upon a lengthy fraudulent scheme that defrauded local businesses and individuals out of over \$175,000.

This is not the first time the issue of whether Pappadopoulos' criminal liability should be minimized despite his unreasonable dangerousness and ongoing criminality. Placer County Superior Court records show that his strike prior was dismissed by the Court on the motion of the prosecutor in the felony check fraud case. The leniency of that dismissal afforded Pappadopoulos a lower sentence and an opportunity to succeed on probation and stop committing crimes. That gamble failed. He continued to offend. By January of 2007, he had already violated his probation and was sentenced to further jail time.

By 2008, Pappadopoulos had already been convicted three times of driving under the influence, had previously been ordered to complete DUI education courses, and was certainly aware of the inherent dangerousness of drinking and driving. Nevertheless, he was arrested in Nevada for

driving with an open container of alcohol and obstructing a peace officer. He was convicted of the former.

Just a year later, in June of 2009, Pappadopoulos was again found in violation of his Placer County probation.

Also in 2009, Pappadopoulos was convicted of a violation of Penal Code section 136.1 – preventing or dissuading a witness from attending or giving testimony – in Sacramento County. According to the offense report, the victim in the case had previously testified as a witness in a case where Pappadopoulos' brother had been convicted of rape. Pending his brother's rape trial, the witness obtained a restraining order against Pappadopoulos' brother. When his brother was sentenced to prison, that restraining order expired. When his brother was close to being released from prison, the witness scheduled a court date to obtain another restraining order. Pappadopoulos called the witness repeatedly. Pappadopoulos threatened the witness, stating:

Can you do me a favor? Don't go to court against my brother. If you go to court, we'll get someone to kill you. If I was in the states, you'd be dead by now."

Pappadopoulos also told the witness, "You ruined my life and it's time to pay!" The witness was fearful because he knew Pappadopoulos had previously been to prison and because the defendant knew where he worked and lived.

The inmate's performance on probation has been dismal. He has repeatedly violated the terms of his probation. In 1994, even before the vast majority of his convictions occurred, a probation officer observed:

The defendant was reportedly uncooperative with keeping set appointments, was experiencing alcohol usage problems, and had difficulty controlling his anger ... The probation officer has received information from law enforcement and community members alleging the defendant is out of control and has been stealing/strong arming members from the Greek community. The probation officer noted that the defendant continues to be involved in violent behavior and had failed to provide the officer: with a reliable address, and as a result his adjustment is poor.

Ten years later, the negative probation adjustment evaluations continued: "In the past, the defendant has been unsuccessful on probation and parole, and again his negative behavior has put him before the court."

His performance on parole was no better. He violated parole three times.

The inmate's background is awash in continual threatening and violent behavior. He punched an -unarmed fourteen year-old boy who was in a vulnerable position in a car. The defendant struck him so hard that he caused the victim permanent eye damage. He then participated in the group beating of a sixteen-year-old boy at a park. He committed a separate battery that resulted in a violation of probation and a suspended state prison term. He was sentenced to prison after threatening to blow up an attorney's office. He threatened his mother's boyfriend a week after discharging from parole. There is considerable evidence that he committed domestic violence

against his fiancé in the car at the time of his third DUI. Finally, he was convicted for threatening to kill a man who simply wanted a restraining order against his brother.

The inmate poses a clear and unreasonable risk of violence to the community. He has served only a minute fraction of his agreed-upon sentence. Early parole should be denied.

Respectfully submitted,

ANNE MARIE SCHUBERT DISTRICT ATTORNEY

By: Special Investigations and Public Integrity Unit Sacramento County District Attorney's Office