

GOVERNMENT CLAIMS GEORGE PAPADOPOULOS HELPED JOSEPH MIFSUD GET AWAY

The government has released its sentencing memo for George Papadopoulos. They recommend he serve time somewhere between 0 and 6 months, with a fine of \$9,500 (which is most but not all of the payment he got from a suspected Israeli spy). And given their description, he got off easy (though I do wonder whether he faces additional exposure in the conspiracy in chief).

While the most newsy bit of the memo is a footnote debunking a lot of what Simona has been telling the gullible Chuck Ross since May (which I'll get to), the most interesting detail is that the government claims that Papadopoulos' lies and obstruction helped Joseph Mifsud skip the country without being detained, as the government explains by way of describing the damage Papadopoulos did to the investigation.

The defendant's lies to the FBI in January 2017 impeded the FBI's investigation into Russian interference in the 2016 presidential election. Most immediately, those statements substantially hindered investigators' ability to effectively question the Professor when the FBI located him in Washington, D.C. approximately two weeks after the defendant's January 27, 2017 interview. The defendant's lies undermined investigators' ability to challenge the Professor or potentially detain or arrest him while he was still in the United States. The government understands that the Professor left the United States on February 11, 2017 and he has not returned to the United States

since then.

This claim is overly dramatic, but it makes the frothy right's conspiracy about Mifsud being an FBI plant all the more interesting – if he's an FBI plant, then why did Papadopoulos cover for him while he was in the US? (Yeah, I know the premise is insane but that's what conspiracy theories do to sanity.)

And, as the government's debunking footnote makes clear, either because George lied to her or because she's lying, Simona hasn't been telling the gullible Chuck Ross the truth about Papadopoulos offering up Mifsud's name.

In several recent media appearances, the defendant's spouse has claimed that the defendant "voluntarily reported" to the FBI the Professor's conversation with him about the "dirt" on Clinton. See CNN, Papadopoulos' Wife Asks Trump to Pardon Him, Says He's 'Loyal to the Truth,' June 6, 2018 (claiming at approximately 4:08 that the defendant "actually volunteered – he reported to the FBI about this meeting"); Fox News, Rethinking 'Collusion' and the George Papadopoulos Case, June 4, 2018, (claiming at approximately 2:11 that the defendant "voluntarily reported to the FBI at the time of their interview"); Chuck Ross, Papadopoulos' Wife: Trump Aide Was 'Absolutely Not' Involved in Russian Collusion, June 4, 2018, available at <http://dailycaller.com/2018/06/04/mangiante-papadopoulos-collusion/> (stating that it was the "defendant who brought up" the matter).

To the contrary, the defendant identified the Professor only after being prompted by a series of specific questions about when the defendant first learned about Russia's disclosure of information related to the campaign and

whether the defendant had ever “received any information or anything like that from a [] Russian government official.” In response, while denying he received any information from a Russian government official, the defendant identified the Professor by name – while also falsely claiming he interacted with the Professor “before I was with Trump though.” Over the next several minutes in the interview, the defendant repeatedly and falsely claimed that his interactions with the Professor occurred before he was working for the Trump campaign, and he did not mention his discussion with the Professor about the Russians possessing “dirt” on Clinton. That fact only came up after additional specific questioning from the agents. The agents asked the defendant: “going back to the WikiLeaks and maybe the Russian hacking and all that, were you ever made aware that the Russians had intent to disclose information [] ahead of time? So before it became public? Did anyone ever tell you that the Russian government plans to release some information[,] like tell the Trump team ahead of time[,] that that was going to happen?” The defendant responded, “No.” The agents then skeptically asked, “No?” The defendant responded: “No, not on, no not the Trump [campaign], but I will tell you something and – and this is . . . actually very good that we’re, that you just brought this up because I wasn’t working with Trump at the time[.] I was working in London . . . with that guy [the Professor].” Only then, after acknowledging that the agents had “brought this up” and lying about when he received the information, did the defendant admit that the Professor had told him “the Russians had emails of Clinton.”

Interestingly, the government suggests that Papadopoulos may have lied because he was still trying to get a job in the Trump administration – a job, we’ve since learned, that might have also come with a payoff from Sergei Millian.

But the record shows that at the time of the interview, the defendant was attempting to secure a job with the Trump Administration and had an incentive to protect the Administration and minimize his own role as a witness. (PSR ¶ 50). In January 2017, the defendant had several communications with officials of the incoming Administration in an effort to obtain a high-level position with the National Security Council, the State Department, or the Energy Department. On January 27, 2017, in the hours after being interviewed by the FBI, the defendant submitted his biography and a description of work he did on the campaign in an effort to obtain a position as a Deputy Assistant Secretary in the Energy Department. (PSR ¶ 50).

And Papadopoulos didn’t provide much assistance at all – significantly, hiding a phone he used in the campaign until the last proffer session (at which point the government had probably identified it by correlating his identities).

The defendant did not provide “substantial assistance,” and much of the information provided by the defendant came only after the government confronted him with his own emails, text messages, internet search history, and other information it had obtained via search warrants and subpoenas well after the defendant’s FBI interview as the government continued its investigation. The defendant also did not notify the government about a cellular phone he used in London during the course of the

campaign – that had on it substantial communications between the defendant and the Professor – until his fourth and final proffer session. This cell phone was not among the devices seized at the airport because it was already in the defendant's family home in Chicago. Upon request, the defendant provided that phone to the government and consented to the search of that device.

And he didn't provide much help thereafter.

Following the proffer sessions in August and September 2017, the government arranged to meet again with the defendant to ask further questions in late December 2017. However, upon learning that the defendant had participated in a media interview with a national publication concerning his case, the government canceled that meeting.

All of which leaves you with the sense that Papadopoulos would have happily served as a spy, had the FBI not come knocking on his door at precisely the same time as the White House was first dealing with the Mike Flynn investigation.

Again, the government is letting Papadopoulos off easy. Which makes me wonder whether he's still exposed in the case in chief.