



# Probation in market rampage

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An elderly man who showed no remorse after killing 10 people and injuring 70 during a vehicular rampage through a Santa Monica farmers market was ordered Monday to serve five years' probation and to pay more than \$100,000 in restitution and fines.

Superior Court Judge Michael Johnson said George Russell Weller deserved prison, but Johnson said he saw no point in putting a sickly man a month shy of his 90th birthday behind bars.

“George Weller clearly deserves a prison sentence,” Johnson said before a courtroom filled with victims' families. “The devastation he has caused, the lack of remorse he has displayed support no other conclusion.

“(But) sending Mr. Weller to jail or prison would be a burden to prison authorities, would make taxpayers pay for his care – and would likely kill Mr. Weller.”

Relatives cried or expressed anger that Weller, who wasn't in court Monday because of his declining health, chose not to confront – and express contrition – toward his victims.

The family of Lynn Weaver, 47, of Woodland Hills – daughter-in-law of the late TV star Dennis Weaver who was active in charitable causes – spoke about their grief and their wish that Weller would apologize.

“He needs to explain himself and to apologize for his acts,” said Erin Villalobos, 35, Lynn Weaver’s sister.

But she said she was satisfied with the judge’s decision, adding, “I believe that Mr. Weller is serving his time in his own prison.”

Weller was convicted Oct. 10 of 10 counts of vehicular manslaughter with gross negligence. On July 16, 2003, he barreled his 1992 Buick into the packed farmers market.

With the engine racing, Weller’s sedan rocketed through the market, carrying bodies on the hood or crushing them beneath his car. Victims, ranging from 7 months to 78 years, were tossed through the air along nearly three blocks of produce stands.

Afterward, Weller asked, “Why didn’t you get out of my way?”

During his trial, defense attorneys argued that “pedal error” caused him to panic and mistake the accelerator for the brake. Prosecutors said he was careless to the point of criminal negligence.

On Monday, Johnson said he agreed with the jury and said Weller had shown an “enormous indifference to human life.”

The suffering was so great, Johnson said, that Weller’s trial was the only time he’d ever seen a policeman cry.

Weller, who didn’t attend most of his trial, faced 18 years in prison. But the judge said severe heart disease that requires 24-hour care would have killed him there. Prosecutors urged a medical review that could have led to prison time.

“There must be some consequences for his actions,” Deputy District Attorney Sam Dordulian said.

But defense attorneys argued that Weller, contrite over the carnage, had led an exemplary life.

A family man, churchgoer and library volunteer, Weller had no police record, not even a parking ticket, before the rampage.

“He accepts the fact that he caused the accident and is deeply sorry,” Mark Borenstein, Weller’s attorney, told the judge. “There is no need for additional punishment. Mr. Weller has been a law-abiding citizen his entire life.”

Lawyers and some victims blamed the city and the farmers market security company for failing to build sufficient barriers.

“It’s a foreseeable thing that someone could mistake the gas for the brake,” said Geoff Wells, an attorney who represents 18 victims among dozens who have filed lawsuits. “They had a plastic sawhorse with a two-by-four. It was unbelievable.”

On Arizona Avenue where the rampage occurred, Marina Boisson of Acadie Hand Crafted French Crepes remembers the screams – and the bodies.

“What makes me mad is that, if he was a young person who did that ... it would have been a totally different verdict,” Boisson said. “I think he should be sent to jail.

“He might be 90 years old, but there were kids that were killed.”

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