



## Spector's lawyers grill key witness

**The record producer's onetime driver sticks to his story about the night of the fatal shooting.**

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Attorneys for Phil Spector tried Monday to show that a key prosecution witness changed his story to make the case that the famous record producer fatally shot actress Lana Clarkson at his Alhambra home on Feb. 3, 2003.

Cross-examining Spector's driver, defense attorney Bradley Brunon suggested Adriano DeSouza, a Brazilian immigrant, may have offered testimony to curry favor with authorities who could help him avoid deportation. Brunon also questioned whether DeSouza's grasp of English was sure enough to be certain what Spector had said.

DeSouza said he may have used different language in the past, but insisted his story remained the same: Spector, a gun clasped in his bloody hand after a shot went off, told him: "I think I killed somebody."

Spector has pleaded not guilty to murdering Clarkson. The legendary producer of music for the Beatles, Ike and Tina Turner and the Righteous Brothers is free on \$1 million bail.

Prosecutors have called Spector's alleged statement a murder confession, making DeSouza central to their case — and a target for the defense.

Brunon spent most of Monday raising discrepancies in DeSouza's testimony at trial and in previous statements to police and the grand jury. DeSouza had told police that Spector was drunk when he spoke to him in the doorway after the gun fired, then testified he did not appear drunk, Brunon noted.

DeSouza said in court he was certain of what Spector told him, but Brunon cited a transcript showing he told police he was uncertain because of his English.

Brunon continued to point out examples of DeSouza's use of different words to describe events in different interviews, asking him several times, "Why have you changed" your testimony?

Brunon showed a videotape of DeSouza speaking to police outside of Spector's house after the shooting. Standing near the doorway where he said he encountered Spector, DeSouza described what he saw to two investigators. The loud roar of the fountain in the courtyard can be heard in the background.

Brunon asked DeSouza if, with the fountain gushing, his own excited state having seen Clarkson's dead body, and Spector possibly being drunk, he misheard the producer. "Do you think you might have heard 'I think somebody's been killed ?' "

"No," DeSouza answered.

"Do you think you might have gotten the words wrong?" Brunon asked again.

"No, the words that I heard were clear," DeSouza said.

Brunon then noted that when DeSouza showed officers in the video how he saw Spector holding a revolver, he held his right forearm across his stomach, with his hand a few inches in front of his torso. When DeSouza mimicked Spector holding the gun in court last week, his arm was in the same position, but touching his torso.

Asked to explain the difference, DeSouza in court said of the video, "I was not in the right position at the time." Brunon then asked him, "Did someone suggest to you you should say the gun was close to your body?"

"Of course not," DeSouza answered.

Brunon made an issue of DeSouza's immigration status, asking him if he felt indebted to prosecutors for writing to immigration officials to keep him from being deported so he could testify. DeSouza acknowledged in court that he had violated his student visa by working.

"When your testimony was different than it was here, is that not because prosecutors are helping you?" Brunon asked.

"I'm here because it's the right thing to do," DeSouza replied.

After Brunon's cross-examination, prosecutor Alan Jackson asked DeSouza if he understood his immigration status would be addressed after the trial, with no special treatment in exchange for his testimony except for the postponement of his deportation proceeding.

Jackson then displayed transcripts of an interview with detectives showing DeSouza said numerous times that Spector told him, "I think I killed somebody."

Prosecutors asked Judge Larry Paul Fidler if the recording of DeSouza's interview with detectives, taped the morning of Feb. 3, 2003, could be played in court. Fidler reviewed the transcript during a break, and ruled — over defense opposition — that the tape could be played.

With the jury out of the courtroom, Fidler told Brunon the "conversations, recorded right after the death, certainly can be used to show ... in essence a consistent statement" by DeSouza long before prosecutors helped him with immigration issues. The tape would also allow the jury to decide "how good or poor his understanding of the English language is," Fidler said.