



Spector jury finishes 10th day

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The jury in the Phil Spector murder trial completed its 10th day of deliberations Monday without announcing a decision.

A week ago, the panel of nine men and three women had declared a deadlock, but were sent out with new instructions for further consideration of second-degree murder charges against the famed music producer.

At one point, jurors asked for a video player. One defense lawyer said he believed they were probably interested in seeing videos of Adriano DeSouza, the Brazilian chauffeur who drove Spector and actress Lana Clarkson to the scene of the shooting, Spector's Alhambra mansion, early on Feb. 3, 2003. DeSouza testified that Spector emerged from the house after the shooting, a gun in his bloody hand, and said, "I think I killed somebody."

The videos were recorded at Spector's house and at the Alhambra police station, and were presented in court by the prosecution. Prosecutors insisted that Spector, in effect, confessed to DeSouza, but the defense spent a long time trying to undermine his testimony by questioning his English-speaking skill.

If Spector, 67, is convicted of killing Clarkson, 40, he could spend the rest of his life in prison. The defense argues that Clarkson was despondent about her life and career and shot herself, either accidentally or in a suicide, and that Spector is not responsible for her death. The jury will return this morning.

Earlier, the defense team unsuccessfully sought additional instructions for the deadlocked jury. After the 7-5 impasse was announced last Tuesday, Los Angeles County Superior Court Judge Larry Paul Fidler gave jurors new instructions that included several scenarios of what might have happened the morning of the shooting, and he withdrew an instruction that jurors said was giving them problems.

The defense last week objected to both actions by Fidler.

In its latest motions, the defense asked that the jury be given another instruction to make it clear that if Spector merely gave Clarkson the gun, he was not guilty of murder.

Fidler initially left open the possibility of calling the jurors back to admonish them about the possibility of suicide, in effect giving the jury a scenario more to the defense's liking.

"What would be the harm?" Fidler asked the prosecution during a brief televised hearing.

Deputy Dist. Atty. Alan Jackson strongly objected, arguing that such an admonishment would confuse the jury and give undue weight to the defense theory at the expense of the prosecution's.

"It unduly prejudices the prosecution, highlights the defense side of the case and does violence to the instructions already given them," Jackson said.

The defense also wanted an instruction making it clear that there was no evidence that a second gun was involved in Clarkson's death. That instruction comes from the defense's belief that under the revised

instructions issued last week, jurors may decide that Spector held a second gun, which he used to order Clarkson to shoot herself.

There was no evidence in the five-month trial that a second weapon was involved. Clarkson died from a single bullet through the mouth. Fidler didn't formally rule on the defense requests, but indicated in open court he was leaning toward denying them.

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Credit: Times Staff Writer