



Spector retrial may be delayed until spring

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Spector retrial may be delayed until spring, lawyers say; With changes in his legal team expected, new attorneys would reportedly need six months to prepare.

Despite the judge's insistence on a quick hearing to plan a retrial, Phil Spector probably will not face a jury again for the alleged murder of actress Lana Clarkson until next spring, attorneys for the record producer said Thursday.

Spector, 67, had been tried for murder in the slaying of Clarkson, who was found shot to death in his Alhambra home Feb. 3, 2003, but a mistrial was declared Wednesday when the jury announced that it was hung. Ten jurors believed that Spector was guilty, two did not, jurors said in post-trial interviews. Dist. Atty. Steve Cooley's office immediately announced that it would retry Spector.

Roger J. Rosen, who had been Spector's lead counsel for much of the trial, pushed Wednesday for a 60-day delay before a retrial is discussed. But Los Angeles County Superior Court Judge Larry Paul Fidler ordered the parties back to court Oct. 3.

On Thursday, Rosen said he would not represent Spector in a retrial.

"I signed on for one tour of duty, not two," Rosen said.

If Spector -- who has been through 10 attorneys since he was accused of murder four years ago -- retains new lawyers, they probably would be given several months to prepare.

"It would take at least six months for any lawyer to get ready," said Christopher J. Plourd, one of Spector's attorneys. "This is a very complicated, serious homicide case."

Plourd said he does not yet know if he will continue to represent Spector.

Dennis Riordan, a San Francisco lawyer who led much of the final portion of Spector's trial, said "as of yet, my future role in the case is undetermined. But in any case, as an appellate lawyer, I would not be serving as lead trial counsel."

District attorney spokeswoman Sandi Gibbons said that prosecutors "could be up in no time" for a retrial, and that trial prosecutors Alan Jackson, Patrick Dixon and Ricardo Ocampo probably would handle the retrial.

Gibbons said Fidler has a packed trial calendar, which could prolong the wait for a second trial.

Gibbons declined to comment on legal aspects of the case.

Spector was indicted by a grand jury in September 2004; his trial began in April this year. Its start was delayed by a change in venue from Alhambra to downtown Los Angeles, Spector's changes of attorneys, Fidler's calendar and the schedules of Spector's attorneys.

Spector's trial was put on hold when Bruce Cutler, who had been Spector's lead counsel, was tied up in a federal case, defending two New York City police officers who were charged with being mob hit men.

Spector produced songs for many of pop music's pioneering artists, such as the Beatles, Ike and Tina Turner, and the Righteous Brothers. Clarkson, 40, had played the title role in the cult film "Barbarian Queen" and had numerous small television roles and commercial parts.

Prosecutors said Spector shot Clarkson in the mouth when she tried to leave his home, hours after they had met at the House of Blues nightclub, where she worked as a hostess.

Spector's defense team said Clarkson shot herself, either by accident or to commit suicide because she was depressed over her faltering acting career and financial troubles.

Spector had been charged with second-degree murder and faced a minimum prison term of 18 years. Prosecutors had not sought to include a manslaughter charge in the jury instructions.

USC criminal law professor Michael Brennan said he was sure that the prosecutors would ask for an instruction on the lesser included offense of involuntary manslaughter in a retrial. His colleague, Jean Rosenbluth, a former federal prosecutor, agreed.

The prosecutors "should take more care with the jury instructions and make sure they leave open every possibility of a conviction" the next time, she said.

Loyola law professor Laurie Levenson agreed, but said she did not think that the prosecutors need abandon the prospect of getting a second-degree murder conviction.

"After listening to the jurors," she said, "it strikes me that the prosecutors can go after the murder charge again. They need to shore up some holes in their case. They've got a pretty good road map of what to do the next time."

In particular, Levenson said, the juror interviews indicated that the prosecutors needed to make a stronger forensics presentation and to deliver a better portrait of Clarkson to counter defense assertions that she chose the night she and Spector met to shoot herself at his mansion with his gun.

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