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http://www.latimes.com/news/local/la-me-spector5-2008nov05,0,1149754.story From the Los Angeles Times

# Spector's defense attorney raises new character issues

A defense witness testifies that the music producer, on trial in the death of actress Lana Clarkson, once became enraged at being mistaken for the late actor Dudley Moore. By Harriet Ryan

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Prosecutors at Phil Spector's murder retrial have said repeatedly that certain circumstances -- a late night, too much alcohol, a woman who doesn't want him -- made the legendary music producer reach for a gun.

In court Tuesday, his defense presented another: being mistaken for the late actor Dudley Moore.

Cross-examining a witness who alleged Spector pistol-whipped her when they were dating, a defense lawyer raised another incident, a confrontation outside the Manhattan celebrity hangout Elaine's.

The witness, Dorothy Melvin, told jurors that a group of young men approached the music icon as he got out of a limousine, asked to shake his hand and said they were excited to meet him. Spector was thrilled, she said, until one man crowed, "I can't believe we just met Dudley Moore!"

Irate at being confused with the diminutive star of the "Arthur" movies, Spector pulled a gun and began chasing the men down the street, Melvin said.

"He was screaming and yelling," she recalled.

Melvin was not asked when the incident occurred, but she and Spector dated in the early 1990s.

The account on the second day of testimony in the case, in which Spector is accused of murdering an actress, was notable because it was elicited by the defense. Since soon after his arrest in the 2003 shooting of Lana Clarkson, his lawyers have waged a vigorous and largely unsuccessful battle to keep previous incidents of gun violence away from the ears of jurors. Judge Larry Paul Fidler has permitted the testimony of Melvin and four other women who allege Spector menaced them at gunpoint in the three decades before the shooting.

His current attorney, Doron Weinberg, has objected to those witnesses as a "trial of Mr. Spector's character" rather than facts. But in questioning Melvin, the lawyer brought up instances of bad behavior that prosecutors never even tried to get before the jury.

In addition to the case of mistaken identity at Elaine's, Weinberg questioned the witness about a 1991 incident in which Spector locked her in a room at New York's Waldorf-Astoria hotel.

"He said he wasn't going to let me out until I made a sincere commitment to civil rights," Melvin said. "It was insane. We never discussed civil rights!"

Weinberg has tried to draw for jurors a distinction between Spector's penchant for displaying firearms and the allegation of shooting Clarkson.

"It's true that he has waved guns, but he has never fired a gun at a living human being," he told them in his opening statement last week.

Melvin, formerly Joan Rivers' manager, also testified that she kicked Spector out of the comedian's Christmas party two years in a row. On both occasions, she said, he waved a pistol at guests.

She previously described a 1993 encounter in which an intoxicated Spector assaulted her with a gun.

The 68-year-old faces a minimum of 18 years in prison if convicted of second-degree murder. He contends Clarkson, 40, shot herself in his Alhambra mansion. A jury deadlocked on his guilt last year after a five-month trial.

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