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From the Los Angeles Times

Spector's lawyer goes negative -- on his own client

In an effort to counteract female witnesses who say the murder defendant terrorized them with guns, the defense in the retrial says Spector also brandished firearms at men.
By Harriet Ryan

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Since his murder retrial began a month ago, Phil Spector has heard himself described as a gun-obsessed boor with a mouth filthier than a truck stop restroom and mood swings as sharp and scary as a dagger.

Surprisingly, this ugly portrait came courtesy not of prosecutors -- although they've offered their own unflattering character sketch -- but from the legendary music producer's own lawyer. In a strategic change from his first trial, which ended in a hung jury last year, the defense has acknowledged abusive, dangerous and unstable behavior by Spector and even provided jurors with details of such episodes.

The approach, his lawyer says, is the only way to combat what the defense considers the most damning evidence against Spector in the fatal 2003 shooting of actress Lana Clarkson: the testimony of five women who say he terrorized them with guns under similar circumstances.

"The alternative is allowing the jury to believe Mr. Spector hates women and women only," his lawyer, Doron Weinberg, told an L.A. County Superior Court judge in November.

Questioning prosecution witnesses, Weinberg has seized on instances in which Spector drew weapons on men or carried firearms in the course of his daily life. He asked a woman who alleges Spector pistol-whipped her when they were dating in the early 1990s to recount a time when the producer pulled a revolver on a group of young men who mistook him for the actor Dudley Moore.

"All of a sudden he was chasing them down the street," Dorothy Melvin testified.

Spector, 67, faces a minimum of 18 years in prison if convicted of second-degree murder in the death of Clarkson. The 40-year-old was shot to death in the foyer of his Alhambra mansion three hours after they met at the House of Blues on the Sunset Strip, where she was working as a hostess. Spector's defense contends she killed herself.

Prosecutors maintain that Spector pulled the trigger when she expressed a desire to leave the palatial home. The theory is based in part on the experiences of the five women in the three decades before Clarkson's death. The prosecution argues the incidents show a pattern that culminated in her murder. In each account, the women were alone with Spector when he had been drinking. When they expressed a desire to go home -- or, in one case, refused to enter his hotel room -- he responded by pulling a gun, the women say.

Spector's defense fought against admitting the women's testimony, but Judge Larry Paul Fidler ruled that their accounts were relevant as evidence of motive and "lack of accident or mistake." During last year's trial, the defense team made repeated and unsuccessful requests that the judge reverse his decision. Ultimately, they suggested to jurors that some of the women were lying and seemed to ignore the accounts of others. The jury deadlocked 10 to 2 in favor of conviction.

At the retrial, the defense has implied that some of the women's accounts were exaggerated either to sell their stories to media outlets or because Clarkson's death colored their memories. But his attorney has drawn on their knowledge of Spector to present him as an equal-opportunity offender who lived within a "Hollywood culture" that considered the brandishing of firearms, self-indulgent rages and profane rants as normal and as harmless as dinner at the Grill.

Prodded by Spector's lawyer, Melvin recounted a time the producer became agitated during a phone conversation with an employee of the Rev. Jesse Jackson. Spector locked Melvin in a room and refused to release her, she said, "until I made a sincere commitment to civil rights."

"The gentleman he had on the phone called me later and said, 'What was that about?' " Melvin said. "It was insane."

The suggestion: just another wacky day with Phil Spector.

Another woman, a freelance photographer who says Spector held her in a hotel room at gunpoint in 1995, told jurors that Spector always brought a gun on their dates. Rather than fearing the firearm, Stephanie Jennings acknowledged, she would let him stash it in her purse.

Prosecutors questioned Melvin about two Christmas parties at which Spector pulled guns and was forced to leave. Another witness, a retired police officer, said that as Spector left one of the parties, he repeatedly used an obscene word to refer to women and said, "They all deserve a bullet in their . . . head."

The defense brought out additional information that at the second party, Spector's target was a man who he felt was being rude. Melvin also said that Spector was invited back a third year, but she made sure to frisk him and take the weapon before he entered.

Outside the courtroom, Weinberg said he hoped the jury would appreciate an "honest" picture of Spector.

"The expletives and the gun-waving are like conversational exclamation points for emphasis, but not intended to do harm," Weinberg said. "The point is he has never fired a gun at a living being."

Legal experts who followed Spector's first trial closely said that providing jurors with negative information about Spector was risky.

"The jurors' common sense is going to tell them that the more somebody waves around a gun, the better the chance it's going to go off," USC law professor Jean Rosenbluth said. "It's not a very clever strategy."

Stan Goldman, a Loyola Law School professor who followed the initial trial, called the approach "a very strange argument."

"They are basically saying, 'He's the kinda guy who does wave guns, but look, nobody ended up dead,' " Goldman said. "It'll sound great if they end up hanging this case again."

Prosecutors declined to comment on the shift in strategy. In court, however, they have noted that some of the women refused to have further contact with Spector after he allegedly menaced them with guns.

A woman who said Spector held her in his home at gunpoint in the early 1990s said she never saw him again.

"Why not?" Deputy Dist. Atty. Alan Jackson asked.

"Well, because I thought he was crazy," Melissa Grosvenor replied.

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