

Forensic pathologist in Spector case claims suicide

by Dan Laidman and Matt Krasnowsk

LOS ANGELES - Gunshot residue, blood spatter and other physical evidence suggests actress Lana Clarkson committed suicide at Phil Spector's mansion in 2003, a forensic pathologist testified Tuesday as defense lawyers launched their case at the rock 'n' roll producer's murder trial.

Prosecutors, who contend that Spector fired the shot that killed Clarkson, have put their case on hold as they wait for two final witnesses. Meanwhile, Spector's lawyers opened their presentation with witness Vincent DiMaio, the former chief medical examiner in San Antonio who writes and testifies frequently about gunshot wounds.

"She died of a self-inflicted wound," DiMaio said of Clarkson. "There's no objective, scientific evidence that anyone else held the gun."

Prosecutors called 33 witnesses in presenting their case, which started April 26 with the first of four women who told jurors that Spector threatened them with guns as they tried to leave his home or hotel room.

Authorities contend Clarkson was trying to leave Spector's home - noting that police found her body in his foyer with her leopard-print purse on her right shoulder and her jacket on - when Spector confronted her with a .38 caliber Colt Cobra handgun and shot her in the mouth.

A forensic scientist for the Los Angeles County Sheriff's Department testified that Spector was close enough to Clarkson to have fired the fatal shot, but that the evidence did not conclusively show that he pulled the trigger.

However, in his testimony Tuesday, DiMaio dismissed the prosecution's case as "speculative." Blood spatter and gunshot residue were found on Clarkson's hands, he said, signaling that she had fired a gun.

A prosecution witness had testified that it's unusual for women to commit suicide by shooting themselves in the face, but DiMaio said it's also very rare for a homicide to involve a gun fired inside a victim's mouth. He said Clarkson's self-destructive behavior could be at least partially explained by the presence of alcohol and Vicodin in her system.

Whether or not Spector will testify in his defense remains a mystery. Although the defense has pleaded with Superior Court Judge Larry Paul Fidler to allow them to use portions of Spector's police statements, Fidler has flatly told them no. The judge reiterated that position Tuesday, while also saying he is considering whether to allow the prosecution to introduce statements Spector allegedly made more than a decade ago saying he wanted to harm women.

Fidler said he first wants to hear from the man who reported the remarks - a retired New York cop who provided security for Joan Rivers at a pair of Christmas parties - outside the presence of the jury.

The other witness prosecutors are waiting for is former Spector lawyer Sara Caplan, whom Fidler has held in contempt for refusing to testify about seeing famed forensic scientist Henry Lee allegedly remove an object from the crime scene. Caplan, who has cited attorney-client privilege, is appealing to the state Supreme Court, and Fidler has given her until Thursday to testify or go to jail.

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