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Blood Drops Inconclusive, Expert Says

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A forensic expert who testified for the prosecution at the 1985 murder trial of Bruce Lisker said Monday that blood spattered on Lisker's shoes and clothing did not prove he killed his mother and that a state appellate court mischaracterized his testimony by saying it did.

"I could not reach that conclusion," Ronald R. Linhart testified during a hearing on Lisker's habeas corpus case in U.S. District Court in Los Angeles.

Linhart was called to the stand by lawyers for the California attorney general's office, who are defending Lisker's conviction, in an effort to show that blood droplets on Lisker's shoes and clothing were inconsistent with his stated actions on the day of the March 10, 1983, slaying.

Lisker told police he found his mother beaten, stabbed and bloodied in the entry hall of the family's Sherman Oaks home. He said he knelt beside her, hugged and comforted her, and pulled two steak knives from her back.

Never mentioning Lisker by name, Deputy Atty. Gen. John Yang offered several "hypothetical" scenarios that appeared to be drawn from Lisker's statement to police. After each scenario, he asked Linhart if such actions would account for tiny blood droplets on Lisker's shoes and the cuff of his shirt.

Each time, Linhart replied, "No."

On cross-examination, however, Lisker's attorney, Vicki Podberesky, offered several other "hypotheticals" that were also consistent with Lisker's statements to police. Linhart, a blood expert, conceded that each one provided a possible explanation for

how Lisker got blood on his shoes and clothing.

At one point, Podberesky asked Linhart if the blood evidence in the case proved that Lisker killed his mother.

“I would make no such conclusion based on the evidence I examined,” he said.

Podberesky then read from a 1988 appellate court decision that upheld Lisker’s conviction. The decision stated that Linhart determined that Lisker got blood on his clothing “at the moment when his mother suffered a blunt force injury.”

She asked Linhart if that was an accurate summary of his findings. “No. I could not reach that conclusion,” he said.

Linhart’s testimony came on the third day of an evidentiary hearing before U.S. Magistrate Judge Ralph Zarefsky. Lisker’s attorneys rested their case Monday after testimony from an internal affairs sergeant who sharply criticized the work of the original detective in the case and accused LAPD superiors of ordering him to shut down his own probe of the matter after he uncovered evidence that cast doubt on Lisker’s guilt.

The state’s attorneys declined to cross-examine the sergeant and instead asked the judge to exclude his testimony on a number of legal grounds. The judge denied the request.

Before calling Linhart to the stand, state attorneys sought to offer a possible explanation for a bloody shoeprint found at the crime scene that a prosecutor said was Lisker’s during his trial, but was recently determined to have been made by someone else’s shoes.

Two Los Angeles police officers testified that it was possible that they traipsed through blood and left the print, although they were responsible for securing the crime scene and said they were careful not to contaminate the evidence.

The shoeprint evidence is a key aspect of Lisker’s effort to overturn his conviction because it suggests that another assailant may have been responsible for killing his 66-year-old mother, Dorka. The mystery print, found in a bathroom, is similar in

“size and dimension” to a bruise on the victim’s head, according to an analysis by an LAPD criminalist earlier this year.

The analyst, Ronald J. Raquel, testified last week that the injury on the victim’s head was a shoe impression that had similar characteristics to the bloody shoeprint in the bathroom.

The state’s attorneys have suggested that the bruise on the head was made by an object other than a shoe. On Monday, they tried to undermine the significance of the shoeprint in the bathroom with the two former patrol officers.

Greg Derousseau, now an LAPD detective, said he “probably” stepped in blood, but he couldn’t be sure. Nor did he know if he left a print at the scene, he said. George Prado, who now works for the Los Angeles County Sheriff’s Department, said it was “possible” he left a print but “possible” he did not.

Under cross-examination, both officers denied stepping on Dorka Lisker’s head. When they looked at photos of the bathroom print, neither could identify it as having come from the sole of their shoes.

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