

Los Angeles Times

Lisker's 'surreal' return to society

By MATT LAIT

August 14, 2009 | 12 AM

IONE, CALIF. — Twenty-six years, five months and three days after he was arrested on suspicion of murdering his mother, Bruce Lisker walked out of Mule Creek State Prison on Thursday. He wasn't quite a free man, but one no longer confined to a cell.

"Absolutely surreal," Lisker, 44, said at an impromptu news conference at a nearby park in Ione, southeast of Sacramento. "It's the culmination of a lifelong dream."

He smiled as he stood beneath a tree, looking at the branches. "We don't have any trees on the prison grounds."

Lisker, who was released on bail a week after a federal judge overturned his murder conviction, faces an uncertain future, and he knows it. Government lawyers could appeal the judge's decision, retry him — or drop the case altogether. Then there are the challenges of reentering a society that changed so much in the more than two decades he's been incarcerated.

On Thursday, he took his first steps to adjust to a new world.

As Lisker made the daylong trek in his private investigator's truck back to the San Fernando Valley, little things amused and confused him: The motion sensor on the sink at a gas station restroom in Stockton momentarily baffled him. Chewing gum, banned in prison, delighted him.

After more than two decades of eating whatever was tossed onto his plate, the seemingly unending menu options at a Visalia Togo's sandwich shop were almost too much to handle. What kind of bread? What kind of cheese?

"The choices are overwhelming," Lisker said.

He took to his private investigator's cellphone like a chatty teenager. He called friends to thank them for their support.

At one point near Tulare, the phone rang. It was a juror who voted to convict him at his 1985 murder trial. She wanted to apologize.

"You have nothing to be sorry for. It was not your fault," Lisker told her. "You were lied to."

Lisker has long proclaimed his innocence and maintained he was the victim of an LAPD detective who conducted a sloppy and incomplete investigation into his 66-year-old mother's death. U.S. District Judge Virginia Phillips, in overturning the verdict, ruled that he was convicted on "false evidence" and was poorly represented by his defense attorney.

Her findings mirrored those of a seven-month investigation by The Times, published in 2005.

After the judge's ruling last week, Lisker said inmates and staffers alike came up to congratulate him, many of them stunned that a "lifer" was getting out. He gave other inmates belongings that he said helped to keep him sane while in custody: his music player, CDs and a 10-inch TV.

With some money his father had left him, he said he wanted to buy a computer and a cellphone. And he's going to need some clothes, particularly a suit for court.

He must be in federal court Monday to go over the terms of his release with Phillips.

The Los Angeles County district attorney's office has filed court papers ordering Lisker to appear in state court Aug. 21, even though a spokeswoman has declined to say whether the office intends to retry him. He has said he would welcome an opportunity to clear his name once and for all.

Back in 1985, the prosecution's case hinged largely on four elements: Blood spatter on Lisker's clothes implicated him; police believed it impossible for him to have seen his mother lying on the floor from outside the house; he confessed to a jailhouse informant; and police said bloody shoe prints placed only him at the scene.

At an evidentiary hearing in federal court, each of those elements was seriously undermined or disproved. For example, an LAPD analyst and an FBI expert testified that a bloody print found in the bathroom of the Liskers' Sherman Oaks house and attributed to Lisker at trial was, in fact, not made by Lisker's shoes.

The attorney general arguing in support of the conviction pointed to confessions that Lisker made while trying to secure a plea deal and while seeking parole.

Judge Phillips, in adopting U.S. Magistrate Judge Ralph Zarefsky's findings in the case, dismissed those confessions, calling them "self-serving when they were made and unaccompanied by verifying details."

Lisker has said his admissions were bogus and desperate attempts to get out of prison.

Phillips also found that the LAPD detective on the case had inexplicably dismissed another "likely suspect" who lied about his whereabouts at the time of the murder, admitted being in a knife fight on the day of the crime and acknowledged going to the victim's house and talking to her the day before the slaying.

On Thursday, Lisker was trying to think more about the future than the past. His plans for the short term are simple. He wants to swim in a pool, ride a bike near the beach, smell the ocean air and run as far as he wants in a straight line without having to jog in circles.

The first order of business after he emerged from the prison and greeted his friends and supporters was to satisfy a craving for breakfast at the International House of Pancakes, a place his parents used to take him when he was a child. He ordered scrambled eggs, sausage and pancakes and was able eat with a knife, a utensil forbidden in prison.

The past always loomed in the background, as did the nagging feeling of lost time.

When he was arrested, Lisker was a skinny, frizzy-haired teenager with a drug habit and a bad attitude. Today, he's a middle-aged man with a shaved head who says he intends to make the most of his time out of custody.

As he drove closer to the San Fernando Valley, the sights became more familiar to him. He passed by the ballpark where he played Little League and buildings where businesses he once knew were no longer there.

More than nine hours after he left Mule Creek State Prison, he arrived at his destination: an Encino condominium. As a condition of his bail, he is living with a man who married Lisker's stepmother and has long supported his quest for freedom. Like most of his relatives, Lisker's stepmother died while he was in prison.

After a tour of the residence, Lisker stood on the balcony and gazed over at Balboa Park. An afternoon haze had settled in.

"Even on a day when the view isn't beautiful," Lisker said, "it's beautiful."

Matt Lait