

Murder witness refuses to testify about drugs

Bandler, Richard
By MARK BERGSTROM

4-15-87

Sentinel Staff Writer

SANTA CRUZ — Cross-examination of the key witness in the Richard Bandler murder case came to an abrupt halt Tuesday when the witness refused to answer any questions about drugs.

After consulting his attorney, James Marino asserted his Fifth Amendment privilege in response to questions posed by Bandler's attorney, M. Gerald Schwartzbach of San Francisco.

Schwartzbach told The Sentinel that questions about drug use were

DA's office will decide whether to grant immunity

important to his defense of Bandler.

"I believe that (Marino is) the person who killed Miss Christensen and his motive to kill her relates to his involvement in illicit drugs," Schwartzbach said.

Municipal Court Judge Tom Kelly adjourned the preliminary hearing against Bandler after Marino's attorney, Thomas Salcicca of San Jose, said he advised Marino not to answer

any questions about drugs "because he might incriminate himself in some way, peripherally."

The judge adjourned the hearing for the day so Assistant District Attorney Gary Fry could decide to what extent, if any, he would grant immunity for Marino's testimony.

Schwartzbach had asked only a dozen questions, mostly about Marino's relationship with the vic-

tim — Corine Christensen — when he started to probe about drug use.

Marino said he had moved in with Christensen, first as a friend and then as a lover. He said he was unaware that she was a prostitute until after her death last Nov. 3.

Under questioning Monday by Fry, Marino testified that Bandler killed Christensen by shooting her in the

face at close range with a .357-magnum revolver.

He said he had spent the night on the sofa at Bandler's house on Mattison Lane. In the morning, he said, he was awakened by Bandler. He said he thought Bandler was getting him up for a medical appointment that Bandler had agreed to drive him to.

Instead, he said, Bandler drove to Christensen's townhouse on nearby Charlene Lane about 9 a.m. He said Bandler drew a gun and waved it around before sitting next to

Please see back of section

Murder witness

Continued from Page A1

Christensen at the dining room table and shooting her in the face.

After the shooting, Marino testified, Bandler drove to the Capitola Wharf where he told Marino to toss the chrome-plated revolver into the bay.

Sheriff's detectives later found the weapon below the wharf.

Marino said he was suffering from the effects of a severe head injury from a beating the week before the killing. He said he kept his doctor's appointment and then took a two-hour nap. He said he awoke wondering if the killing was a dream.

Marino said he called local attorney J.D. Wells, who's a friend, and Wells drove him to Christensen's townhouse. Marino said Wells went in and when he returned to the car told Marino it was no dream.

Marino then went to police. The fact that he did — even though six hours after the killing — aids Marino's credibility, according to Fry.

Schwartzbach contends Marino's cooperation with police and his motive to testify "is obviously to deflect law enforcement attention away from himself."