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Last-minute testimony in Bandler trial

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Several last-minute witnesses took the stand yesterday and this morning as testimony in the murder trial of Richard Bandler drew to a close in Santa Cruz County Superior Court.

Bandler, co-founder of a type of behavioral therapy called Neuro-Linguistic Programming, is accused of shooting prostitute Corine Christensen to death in her Live Oak townhouse in November 1986. Bandler's defense attorney, M. Gerald Schwarzbach, contends that former cocaine dealer James Marino, the key prosecution witness, is actually the killer.

Marino and Bandler were the only people with Christensen when she was killed.

Yesterday's string of witnesses included Paul Dougherty, a firearms-identification expert, and forensics expert Lindberg B. Miller, a retired police officer who first testified two weeks ago.

At issue is the position of the gun that killed Christensen. A close position would implicate Bandler, who was reportedly seated within inches of her, while Marino was standing several feet away.

The bust of a mannequin and two styrofoam heads were used yesterday to illustrate the trajectory of the bullet, which entered Christensen's face near her left nostril and tore a path through her brain.

Dougherty, formerly of the San Mateo County Sheriff's Office and former head of an international forensics association, was called by prosecutor Gary Fry to testify that the bullet was shot from very close range.

He testified that from its trajectory, the bullet could have come from a gun held either by Bandler from a sitting position or Marino from a standing position.

The difference, Dougherty said, was that for Bandler to shoot Christensen, her face would have to be tilted down to the table, as would happen, for instance, if she were snorting cocaine at the time. For

Marino to have shot Christensen, she would have had to tilt her head back, away from the table, as she would do if she were looking up upon seeing him.

Dougherty also testified that bodies do not fall in the direction of the force of the bullet, but rather in the direction of the balance of weight at the time of being shot. A large pool of blood on the table would indicate that Christensen fell forward — and was therefore leaning forward — when she was shot, Dougherty said.

Dr. Richard Mason, Santa Cruz County's forensic pathologist, who performed the autopsy on Christensen, has testified that the gun was held closer than the tip of her nose.

He could provide no explanation, however, for the stippling caused by gunpowder on the right side of her face. Various "experts" have since been called in by both the prosecution and the defense to offer explanations for the stippling.

Schwarzbach also called several witnesses to the stand yesterday whose testimony rebuts previous testimony by both Marino and supportive witnesses.

Marino and his current girlfriend, Koni Blankenship, have testified they were in Bethel Island in the Sacramento Delta last fall, and that Bandler followed them there.

Two witnesses called by Fry yesterday, mechanics at the Scotts Valley recreational-vehicle lot that sold Marino a motor home, pinpointed the date as the weekend of Sept. 5.

Defense witness Elizabeth McFarland, 12-year-old daughter of Bandler's live-in girlfriend, Paula McFarland, testified that Bandler was at home the weekend Marino and Blankenship have said he was in Bethel Island.

Sheriff's detectives, called by the prosecution, testified they were unable to open Christensen's garage door from the inside during an investigation a few hours after her death.

Marino has testified he tried unsuccessfully to open it the morning of her murder because he was frightened of Bandler.