

A CASE OF DOUBT

**New Light on a Distant Verdict**

The evidence seemed overwhelming 20 years ago when Bruce Lisker was convicted of killing his mother in a fit of rage. Was justice served?

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On a drizzly day in March, Phillip Rabichow stood outside a beige ranch house in Sherman Oaks with a tape measure in his hand and an anxious look on his face.

Twenty-two years earlier, almost to the day, a woman named Dorka Lisker had been killed in that house. Her 17-year-old son, Bruce, was charged with the murder. He had a drug problem and a history of fighting with his mother.

Rabichow, then a deputy district attorney, convinced a jury that Bruce was guilty. As the years rolled by and Lisker reached middle age in prison, Rabichow rarely gave the case a second thought.

But in recent months, new information had shaken his faith in the fairness of the verdict: A bloody footprint found at the scene did not match Lisker's shoes. A mysterious phone call made around the time of the murder raised further questions.

Rabichow, 61 and retired, was having trouble sleeping. He replayed the trial in his head obsessively, trying to reassure himself that he had not put an innocent man away for life.

In his distress, he clung to one element of his case, a piece of evidence he still believed was irrefutable proof of Lisker's guilt. But to be sure about it, he would have to visit the crime scene.

"This is the critical issue of the case," Rabichow said before entering the house. "If I was wrong about this, I would not be convinced beyond a reasonable doubt of his guilt."

'She's Been Stabbed!'

"Help me, please! I need an ambulance right now. . . . Hurry!"

It was 11:26 a.m. on March 10, 1983.

"My mom — she's been stabbed!" Bruce Lisker cried into the phone. "She's been stabbed!" When police and paramedics arrived at the three-bedroom house on Huston Street, they found Dorka, 66, lying on the floor near the front entryway. Her face was bloody, and she had been stabbed in the back. Her skull had been crushed, her right ear nearly severed and her right arm broken. [ DOCUMENT: Autopsy Report on Dorka Lisker. ]

As the paramedics worked, Bruce paced back and forth, screaming at them to take his mother to the hospital. He was high on methamphetamine, and his hands were covered with blood.

He became so agitated that two police officers put him in the back of a patrol car, handcuffed, so he wouldn't interfere.

"Do you believe in God?" a tearful Lisker asked one of the officers. "Will you pray for my mother?"

**Baseball and Trail Bikes**

Dorka Zeman, a blond beauty of Czech descent, married Bob Lisker in 1946. They had been dating for about a year when another couple at a New Year's Eve party in Hollywood playfully dared them to tie the knot.

A little tipsy, they accepted the challenge and drove through the night to Tijuana, where they were wed the next morning. He was 19; she was 29.

Dorka soon became pregnant, but had a miscarriage. The couple kept trying to have a child but eventually gave up and poured their energies into their careers — his as a lawyer, hers as a film cutter for Technicolor.

In 1964, one of Bob's clients asked for help with a delicate matter. Her 17-year-old daughter was pregnant. The family wanted to put the baby up for adoption.

Lisker said he and his wife would take the child. The baby was 3 days old when they brought him home in June 1965. They named him Bruce.

Dorka, then 49, was not "particularly enthusiastic," her husband recalled years later. "But once the baby got home, she was delighted." She quit her job to become a full-time mother.

Their Sherman Oaks neighborhood was a child's paradise, with wide-open spaces for flying model airplanes, playing baseball and riding trail bikes. Bruce splashed in the family's backyard pool, dressed up as a tiger for Halloween and went on Boy Scout camp-outs.

In a faded snapshot from 1973, a grinning, blond-haired Bruce, then 8, displays a Little League trophy he won with the San Fernando Valley Pirates.

Before long, Bruce's poor grades and rambunctious behavior began to cause friction between him and his mother.

"I was basically the class clown, and I got in a lot of trouble for that," he would later explain. "I was always a real skinny kind of kid that everybody used to overlook, and I wanted to be heard."

By his own account, he began drinking and smoking marijuana at 10 or 11. By 13, he was experimenting with cocaine and LSD. He stole from his parents to support his habit.

His disputes with his mother escalated into "semi-hysterical scenarios" in which the two of them would scramble around the house screaming at each other, according to a report by the California Youth Authority.

While their arguments raged, Bob Lisker would often sit watching television with the family dog in his lap.

"Usually, at some point in this mother-son contest, either Bruce or his mother would solicit Mr. Lisker's involvement, psychologically forcing him to be the judge in a 'courtroom' game," the Youth Authority report said.

The Liskers sent the boy to a group home for troubled children near Susanville in the Sierra Nevada. He spent eighth and ninth grades there.

Returning to Los Angeles, he bounced from Birmingham High School to two continuation schools before dropping out in the spring of 1982, a month shy of his 17th birthday.

He persuaded his parents to rent him an apartment of his own — a \$210-a-month studio on Sepulveda Boulevard, about four miles from their home. They gave him a car and spending money and hoped he would straighten himself out. They were disappointed.

He smoked pot, drank heavily and shot up methamphetamine. In June 1982, he was arrested for throwing a screwdriver at a motorist during a traffic dispute. Police booked him for assault with a deadly weapon; the charge was later reduced to vandalism.

Bruce told a police officer who witnessed the altercation that he grew enraged when the other driver cut him off. According to the officer, Bruce declared: "I was gonna kill that son of a bitch."

#### **'And Then You Stab Her'**

By the time Det. Andrew R. Monsue arrived at the scene of the murder, Dorka Lisker had been taken to Encino Hospital, where she died that afternoon.

A former Marine who had served in Vietnam, Monsue wore his brown hair short and had a gruff military bearing. He followed a trail of blood through the house, looking for clues.

He concluded that Dorka's assailant had beaten her with her son's Little League trophy and her husband's metal exercise bar. Then she had been stabbed in the back with a pair of steak knives, which were lying on the floor next to her body. Monsue saw bloody footprints in the front hallway, a nearby bathroom and the kitchen — and more footprints outside the house.

Bob Lisker told detectives that the night before, he had given his wife a handful of bills — tens and twenties mostly — to pay for groceries. He thought it was around \$150. Police searched her purse but did not find the money. They also searched Bruce. He did not

have it.

Around 1 p.m., Monsue took the teenager to the Van Nuys police station for questioning. Bruce said he had gone to his parents' house that morning to borrow a jack so he could repair a shock absorber on his 1966 Mustang.

His mother didn't come out to greet him as she usually did, so he knocked on the door. No answer. He tried the doorknob. It was locked.

Lisker said he made his way to the backyard, where he looked through a window into the living room. He thought he could see his mother's feet on the floor in the entry hall.

His heart pounding, he ran to the dining room window to get a better view. From there, he could see her head lying motionless on the floor, he said.

Panicked, he ran to the kitchen's louvered window, an entry point he had used more than once to sneak into the house after curfew. He said he removed the panes of glass and climbed into the kitchen.

He ran to the entry hall and found his mother on the floor, unconscious but alive. Trying to help, he pulled the knives from her back. Then he grabbed two kitchen knives and searched the house for the intruder. Then he called for an ambulance.

Monsue, who listened quietly, thought Lisker was lying. If he had seen his mother's body through the living room window, why hadn't he just smashed his way in? Why would he disassemble the kitchen window instead, squandering precious seconds?

For that matter, Monsue doubted that Lisker could have seen Dorka's body from outside the house. Based on his own observations, he thought that the sun's glare would have made it impossible to see through the living room window, and that furniture and an interior stone planter would have blocked the view through the dining room window.

Monsue had dealt with Bruce before and didn't like him. He considered him "a loudmouth — an in-your-face little punk," he later recalled.

He read Lisker his rights.

"Let me tell you what I think happened," Monsue said, according to a transcript of the interview. "You went in the house through the kitchen window.... She surprises you there. You guys get into a big fight. You pick up the trophy off your desk that's sitting there. You smack her in the head."

"No, I wouldn't do that," Bruce protested.

"She stumbles down the hallway," Monsue continued. "There's a workout bar.... You pick that up. You smack her and break her arm. She starts running.... You get scared. You pick her up. You drag her in there, right [by] the front door. And then you stab her."

"You better stop, man," Bruce said.

"How does that sound to you?" Monsue asked.

"That sounds like a lie," Bruce replied. "That sounds more gruesome than I would even think of doing."

Monsue placed Lisker under arrest.

The teenager demanded to be given a lie-detector test. Monsue and another detective drove him to police headquarters in downtown L.A., where a polygraph examiner questioned him: Did you hit your mother with that trophy? Did you stab your mother? Did you kill your mother?

Lisker exhibited deception in answering, the examiner found.

On the ride back to Van Nuys, Lisker asked how he did. The detectives told him he failed. They said the examiner had never seen anyone so deceptive.

### **An Unexpected Visitor**

Bob Lisker had lost his wife. Now he might lose his son too. He wanted desperately to believe Bruce's story. But he had no answer to an obvious question: If Bruce hadn't done it, who had?

Then the elder Lisker remembered a conversation with his wife the night before she was killed. Dorka told him she'd had an unexpected

visitor that day, a friend of Bruce's from the apartment on Sepulveda Boulevard. His name was Mike Ryan. He was looking to earn money doing chores. She turned him down.

John Michael Ryan, then 17, had been in and out of foster homes, mental institutions and juvenile hall. He had a rap sheet dating to age 11, with convictions for theft, trespassing and assault with a deadly weapon. A court-appointed psychologist once described him as "impulsive and selfish, operating entirely on his own feelings ... unpredictable."

Bruce had met Ryan at a drug-counseling meeting in 1982. Ryan was living on the streets. Bruce offered to let him sleep on his couch in return for half the rent.

Their friendship revolved around getting drunk, smoking dope and listening to the Doors, Aerosmith and Led Zeppelin. To earn spending money, they occasionally did odd jobs at the Lisker home.

The two soon had a falling-out over Ryan's failure to pay his share of the rent. Bruce kicked him out in January 1983 and Ryan left for Mississippi, where his father lived.

After Dorka's murder, Bruce and his father told Monsue about Ryan's troubled past and his visit to the house the day before the killing.

Monsue tracked down the teenager in Gulfport, Miss. He was once again in juvenile hall, this time for trying to break into a woman's apartment.

At Monsue's request, Mississippi authorities took a brief statement from Ryan as to his whereabouts on the day of the killing. Ryan said he had checked in to a Hollywood motel that morning. [ DOCUMENT: Statement Taken From Ryan by Mississippi Authorities. ]

Monsue went to the motel, the Hollywood Tropics on Sunset Boulevard. Registration records showed that Ryan had not checked in until that afternoon.

His curiosity piqued, the detective boarded a plane for Mississippi. On May 4, 1983, he questioned Ryan at a youth detention facility in Harrison County, Miss.

With a tape recorder running, Ryan described in a monotone how he'd taken a bus from Gulfport to Los Angeles, arriving March 6, four days before the murder. He said he'd returned to California to join the Job Corps in Sacramento. He never made it that far.

His first stop in Los Angeles was the apartment complex on Sepulveda, where he ran into Bruce. The two shared a joint. Ryan had nowhere to stay and wanted to sleep on Bruce's couch. But he was reluctant to ask, he said, because of their earlier dispute over the rent.

Ryan's mother lived in Ventura County, but he couldn't stay with her, either. He and his stepfather didn't get along. So for the next few days, he had wandered aimlessly around his old Valley neighborhood, surviving on potato chips, cigarettes and soda. He slept in carports and in a makeshift campsite in the Santa Monica Mountains.

Ryan confirmed that he had knocked on Dorka Lisker's door March 9. He wanted to use the phone and do some chores, he said. Ryan told Monsue that she invited him in and gave him a drink of water. They chatted for about 20 minutes. She had no work for him to do, Ryan said, so he left.

Asked where he was the next morning, Ryan again claimed to have checked in to the motel at 11 a.m.

"Well, that's bull ...," Monsue is heard saying on the tape. "I went to the motel. You checked in at 3 o'clock in the afternoon."

"Then it was somewhere around 3," Ryan replied. "I don't remember."

Ryan volunteered that he had stabbed someone that morning — not Dorka Lisker, but an unidentified "black guy."

The man pulled a stiletto, Ryan said, and tried to steal his drugs and money. Ryan said he drew his own knife and stabbed the man in the shoulder. [ ]

Monsue wondered aloud why the teenager was so eager to place himself in Hollywood, 12 miles from the crime scene, right around the time Dorka was killed. Why had he lied about his check-in time? And why had he boarded a bus and headed back to Mississippi the morning after the murder?

Monsue challenged Ryan on his finances. The teenager claimed to have left Mississippi with just \$52. Yet what he had described spending on food, drugs, cigarettes, bus fare and the \$21-a-night motel room added up to more than that.

"Something is not jibing here," Monsue said. [ ]

Ryan said he hadn't been thinking much about his brief visit to California or the murder — "'cause I didn't do it."

"You better be thinking a whole bunch about it," Monsue replied. "Because your ass is gonna be back in California in jail unless I can get some straight answers out of you."

Monsue never got those answers. In fact, he quickly lost interest in Ryan, at least in part because of a mistaken belief that the youth had no criminal record.

The LAPD case file — the "murder book," in which detectives document every step in an investigation — indicates that Monsue ran a records search for Ryan using the wrong birth date.

A handwritten note in the file reads: "John Michael Ryan, 1/24/66, No record." [ DOCUMENT: Note Showing Wrong Date of Birth. ]

A search using Ryan's correct birth date — April 24, 1966 — would have revealed that he had been convicted of robbing a teenager at knifepoint 10 months before Dorka Lisker was killed.

It happened in the parking lot of a Denny's restaurant in Ventura County. When the victim asked why he should surrender his \$12, Ryan allegedly replied: "I will kill you if you don't."

Apparently unaware of this incident and Ryan's earlier crimes, Monsue wrote him off as a suspect.

Ryan went on his troubled way. In 1986, he followed a woman off a commuter train in San Francisco, grabbed her arm and threatened her with a knife.

"You don't want to make me angry," Ryan said, according to a sworn declaration by the victim.

When the woman broke free, he slashed at her with the knife, causing feathers to fly from her down jacket. Ryan was convicted of armed robbery and sentenced to six years in prison.

In 1993, he took a sledgehammer to his stepmother's car in Florida — and attacked a police officer who responded, biting him on the thumb.

In 1996, back in California, Ryan took his life with a combination of alcohol and heroin. He left a note in which he thanked his roommate, gave instructions for what to do with his belongings, and told a friend that he loved him.

"F ... everybody else" were his parting words.

Ryan's mother, who still lives in Ventura County, spoke with Times reporters on condition that she not be identified. She said she did not want to be publicly associated with her son and his crimes.

She said she has always suspected that Mike killed Dorka Lisker. Once, she said, she confronted him with her suspicions, and he insisted he was innocent.

She did not believe him.

"I think he just got backed up into a corner and needed the money and did what he did.... He was probably on drugs," the mother said. "I feel like I'm stabbing Mike in the back by saying so, but I really believe there may be an innocent man in prison."

#### **A Jailhouse Informant**

Bruce spent the weeks after the murder in Sylmar Juvenile Hall. He was allowed outside his cell for an hour a day, and spent it writing letters to friends. Every day at dinnertime, a nurse gave him a tranquilizer mixed with orange juice. His father's Sunday visits "were my salvation," he wrote years later. The two talked about Bruce's legal defense.

"I let my dad know again that I did not do this," he said.

At a court hearing April 4, 1983, a judge determined that Lisker should be tried as an adult — but ordered him returned to juvenile hall.

The order went unheeded.

Three days later, sheriff's deputies moved him to the Los Angeles County men's jail. He was placed in a "segregation" area for inmates who would be at risk in the general population — youthful offenders and informants, among others.

Years later, it was revealed that Los Angeles prosecutors had formed a corrupt alliance with jailhouse informants. The snitches would claim their cellmates had confessed to the charges against them. Then they would testify about the confessions in exchange for reductions in their own charges or early release from jail.

Prosecutors had reason to suspect that many of the confessions were bogus, but used them in as many as 250 cases from 1979 to 1988, a grand jury investigation found.

The scandal led to a dramatic reduction in the use of jailhouse informants and a state law requiring that juries be instructed to view their testimony with suspicion. That would come later, however.

Within days of Lisker's arrival in the County Jail, two inmates reported that he had confessed to them. The authorities dismissed them as liars.

Soon after, a third informant came forward.

Robert Donald Hughes, then 29, was a career criminal serving time for burglary, vehicle theft and other offenses. He was also a practiced snitch. [ DOCUMENT: Hughes' Rap Sheet ] In a previous murder case, he had sworn that the accused confessed to him in jail. The man ultimately pleaded guilty to manslaughter.

In the spring of 1983, Hughes was transferred to the County Jail from state prison so he could give similar testimony in another murder case.

He wound up in the cell next to Lisker's.

One day, Bruce heard a scraping sound from the other side of the common wall. It was Hughes, digging a hole with a metal object.

Lisker said Hughes, speaking through the tiny opening, befriended him by posing as a concerned Christian and offering to help him prove his innocence.

Lisker said he told Hughes all about his case and let him read copies of police reports, pushing the rolled-up documents through the hole in the wall. Hughes contacted police, saying he had information to share.

Monsue went to the jail to interview him July 6, 1983. Hughes told the detective that Lisker had admitted to bludgeoning his mother after she caught him rifling through her purse — a scenario that mirrored the facts laid out in police reports.

Hughes offered to testify against Lisker in return for a reduction in his sentence. Rabichow, the prosecutor, agreed.

Lisker's defense soon suffered another setback.

His attorney, Dennis E. Mulcahy, hoped to convince the jury that someone else had committed the crime: Mike Ryan. But first, Mulcahy would have to show that there was a solid basis for the theory — more than "mere suspicion."

In arguments before Van Nuys Superior Court Judge Richard G. Kolostian, Mulcahy pointed out that Ryan had been at the Lisker home the day before the killing. He emphasized that the grocery money missing from Dorca's purse had never been recovered, suggesting that Ryan might have made off with it.

But he failed to mention that Ryan had lied to Monsue about his whereabouts at the time of the killing. Nor did he tell the judge that Ryan had spontaneously admitted stabbing someone that morning.

Mulcahy, now a Superior Court commissioner, declined to be interviewed for this article.

Rabichow argued in court that Mulcahy had failed to meet his burden of proof. The judge agreed, and granted the prosecutor's motion to exclude any mention of Ryan.

The jury would not hear a word about him.

### **Manipulative, Volatile**

Five days into the trial, Kolostian said he would consider allowing Lisker to serve a juvenile sentence if he pleaded guilty to second-degree murder. Lisker would be released at age 25.

Mulcahy urged him to do it. Bruce resisted. Then Bob Johnson, a lawyer and family friend, spoke to him.

"He got right in my face and said I had to take the deal. They are going to convict you of first-degree murder if you don't," Bruce recalled.

Lisker relented. The judge halted the trial and dismissed the jury. As part of the plea bargain, several psychologists examined Bruce to determine his suitability for a juvenile sentence.

Abandoning his claim of innocence, he told them that he had indeed killed his mother. In one of the interviews, he blamed Satan: "I fell to what he wanted me to do.... It was so stupid."

Lisker later disavowed the confession, saying he admitted guilt thinking he would lose the plea bargain otherwise.

In their reports to the judge, the psychologists described him as manipulative and volatile.

"Bruce has an extremely difficult time controlling his aggressive impulses, especially in emotionally charged situations," wrote one psychologist. "He is demanding, self-centered, impulsive and has a low tolerance for frustration."

A pre-sentencing report from the California Youth Authority said that Lisker was "unmotivated for change" and "displayed little in the way of convincing regret or remorse."

Confronted with those conclusions, Kolostian changed his mind and ruled that Lisker would have to serve time as an adult and could face 16 years to life in prison.

"I can't see how the Youth Authority will do the job," Kolostian said. "I had no idea how deep his problem is."

Lisker was allowed to withdraw his guilty plea and take his chances before a jury once again.

#### 'Convincing' Evidence

The second trial unfolded in a sixth-floor courtroom in the Van Nuys courthouse in the fall of 1985. Rabichow depicted the murder of Dorka Lisker as an act of spontaneous rage, followed by cold calculation.

Desperate for drugs, Bruce drove to his parents' home and asked his mother for money, the prosecutor said. She told him no. Moments later, she caught him taking the grocery money from her purse and fought with him, tearing his plaid flannel shirt.

Lisker went to the kitchen, got a pair of steak knives and plunged them into her back. Realizing that she was still alive, he grabbed the Little League trophy and smashed it against her head. Then he pummeled her with the exercise bar.

As his mother lay dying, he carried out an elaborate cover-up. He wiped his fingerprints and her blood from the trophy and the exercise bar. He ran outside and removed the glass panes from the kitchen window to fit the story he'd concocted. He placed a rope around his mother's neck, a detail he thought would suggest a cult killing.

Then he phoned for help.

The prosecutor insisted that Bruce could not have seen his mother through the windows at the back of the house, as he claimed. Police photos showed that furniture and glare from the sun would have blocked his view, he said.

"He couldn't think of everything," Rabichow said. "That is the most condemning lie that he told."

Further proof of his guilt, the prosecutor said, was that all of the bloody footprints in the house matched Bruce's shoes.

"Only his footprint is in the blood," Rabichow said.

If Lisker's story was true, he asked, "why isn't there an intruder's footprint somewhere?"

Mulcahy attacked the prosecution's case on several fronts. He said there was no evidence that Bruce wiped his fingerprints from the trophy or the exercise bar or did anything else to cover up a crime.

He challenged Rabichow's assertion that Lisker couldn't have seen his mother's body through the windows. The police photos were taken the day after the killing, he said, when the sun was brighter and the glare more pronounced.

Through patient questioning, Mulcahy pinned Hughes down to an account of the confession that he hoped would strain credulity.

Hughes said Lisker confessed during their very first conversation through the hole in the wall — before they even knew each other's names.

In his closing argument, Mulcahy asked jurors to imagine that they were in the business of selling cars and that Hughes had come in looking to buy one on credit.

"Would you give Robert Hughes a loan?" he asked.

After deliberating four days, the jury convicted Lisker of second-degree murder. He was escorted to a holding pen, where he threw up into a trash can.

Several jurors cried that day outside the courtroom. "He just didn't strike us as a hardened criminal," said one. "But the evidence was convincing."

### **'I'm Not a Killer'**

For a skinny kid who stands 5 feet 6, prison can be brutal. Soon after his conviction, Bruce endured a beating at the hands of a burly inmate at a juvenile facility in Ontario. He earned respect by fighting back and refusing to inform on his assailant. He told staff members he had suffered two black eyes falling out of bed.

He learned to say little and keep to himself. He studied computer programming and trained to be a paralegal. He went to church, attended 12-step alcohol and drug programs, and dabbled in poetry.

In a poem about Monsue, he wrote:

*An idiot simpleton who jumped to conclusions;*

*Unable to reason, "If not the boy, who then?"*

When he turned 25, Bruce was transferred to adult prison — first San Quentin, then Mule Creek, a concrete fortress about an hour's drive south of Sacramento where he has spent the last 15 years.

Early on, he hoped higher courts would overturn his conviction. But his appeals were dismissed. Then he hoped to gain his freedom through parole.

In 1992, when he first became eligible, he admitted killing his mother and expressed remorse before the parole board.

"I was addicted to drugs and alcohol heavily. I stole money from my parents and I had no qualms about doing so. I was on a downward path, heading down a dead-end street, and it culminated in my murdering my mother," Bruce said.

"A spoiled brat," interjected one parole commissioner.

"Yes," Bruce agreed. "I was."

Lisker now says he told board members what he thought they wanted to hear. He was denied parole.

After that, Lisker said, he decided he would never again accept blame for a crime he didn't commit. He said he declined to appear at his parole hearings in 1993, 1996 and 1998. In 1999, he attended and read a statement proclaiming his innocence.

With a \$150,000 inheritance from his father, who died in 1995, he hired new attorneys and private investigators and set out to clear his name. He established a website — [www.freebruce.org](http://www.freebruce.org) — to drum up support and donations.

Lisker, now 39, said during an interview at Mule Creek that he understands why Monsue suspected him at first. But Monsue and, later, Rabichow developed tunnel vision, he said, closing their minds to evidence that contradicted their theory.

"It's a Chinese proverb that everybody pushes a falling fence," he said. "I wasn't an angel. But I'm not a killer."

### **Curious About a Call**

During Bruce's years in prison, Monsue was on a journey of his own — a slow rise through the ranks of the LAPD. There was a stubborn persistence to his career arc. He took the oral exam for supervising detective 54 times before he was selected for the position.

A self-described "dinosaur," he occasionally bruised feelings with his bristly demeanor. In 1999, a citizen complained that Monsue jabbed

a finger in his face. His supervisor counseled him to tone down his "mannerisms." Later that year, he was reprimanded for displaying a coffee mug with a profanity on it.

An African American female sergeant complained that he made racially insensitive remarks, and that the LAPD punished her for objecting. The woman quoted Monsue as saying that "the white man is at a disadvantage" because of affirmative action. He denied it. In 2002, the city settled the case for \$1.25 million.

Monsue reached the rank of lieutenant, overseeing 45 detectives in the LAPD's Central Division, a position he still holds.

Every few years, he would be notified of a parole hearing for Lisker and given the opportunity to submit a statement. In an odd way, this grinding of the bureaucracy kept the two men connected, aware of each other.

One day in 2000, Lisker was searching his prison file when he came across a letter Monsue had written to the parole board two years earlier.

In the letter, Monsue said that a final nagging question about the case — what happened to the cash missing from Dorka Lisker's purse? — had been resolved. New owners of the house on Huston Street had discovered the money in an attic above Bruce's old bedroom.

"This revelation confirmed our initial theory that Mr. Lisker had in fact robbed his mother," the detective wrote. "He has clearly demonstrated what he is capable of and should never be released to prey on anyone else in the future." [ DOCUMENT: Det. Monsue's Letter to Parole Board. ]

Lisker thought there was something suspicious about Monsue's claim. He asked his private investigator, Paul Ingels, to look into it.

Ingels searched real estate records and located the owner Monsue had referred to. His name was Morton P. Borenstein, and he was a lawyer.

Borenstein told Ingels that he and his wife, Beatrice, had never found any money in the attic. Nor, he said, had they ever discussed the issue with Monsue or anyone else from the LAPD. At Ingels' request, Borenstein signed a sworn statement to this effect. [ DOCUMENT: Borenstein's Declaration (Page 2) ]

Lisker believed he now had hard evidence that Monsue was dishonest. Energized, he and his defense team pressed on.

A year later, Lisker made what he considered a major breakthrough.

He had always been curious about a phone call made from his parents' home around the time of the murder. At 10:22 a.m., billing records showed, someone dialed a number that neither Bruce nor his father could recognize.

Lisker was reviewing his copy of the LAPD case file on a spring day in 2001 when he made a connection. The mystery number was nearly identical to the number for Mike Ryan's mother in Ventura County. Her number was in the file because Monsue had called to interview her about her son in the early days of the investigation.

The two seven-digit numbers were the same except for the final digit. The Ventura County area code had not been dialed. Nevertheless, it appeared that someone had tried to call Ryan's mother around the time of the murder.

"I finally found it," Lisker wrote to one of his lawyers. "It just fits."

Lisker spent the next two years working on another legal appeal — the longest of long shots. In 2003, he filed a habeas corpus petition, contending that he was wrongfully convicted. He included the new information about the phone call and Monsue's letter. The petition is now before a federal magistrate.

Bruce also filed a complaint against Monsue with the LAPD. He accused the detective of lying to the parole board, failing to investigate Ryan's potential culpability and soliciting perjured testimony from Hughes. [ DOCUMENT: Lisker's Complaint. ]

"I was pretty sure they'd blow it off," he said.

### Comparing Footprints

Lisker's complaint landed on the desk of Sgt. Jim Gavin, a barrel-chested Irishman with a ruddy complexion and thinning reddish hair. He was skeptical at first. But he was not the sort to ignore a complaint, even one from a prisoner.

During the Rampart corruption scandal, when many officers' recollections were conveniently hazy, Gavin came forward with information suggesting that a colleague was lying about a shooting. As a peer mentor for the LAPD, he has taught leadership skills to

junior officers.

Gavin, 39, read the transcript of Lisker's trial and listened to Monsue's taped interviews with Bruce and with Ryan. He spent hours poring over documents compiled by Lisker's defense team. He twice went to Mule Creek Prison to interview Lisker.

He was troubled by Monsue's claim that the long-missing grocery money had been found in the attic above Lisker's old bedroom. A homicide detective would be expected to document such a development in writing. Gavin could find no evidence that Monsue had done so.

Gavin contacted Borenstein, who again said he could not remember finding any money in the attic, much less contacting Monsue about it.

Gavin dug deeper. He asked an LAPD criminalist to compare footprints from the crime scene with the shoes Lisker wore that day.

No such analysis had been done during the original investigation. At the trial, Rabichow relied on Monsue's testimony that the bloody footprints "resembled quite closely" the treads of Lisker's size-8 sport shoes.

Now, for the first time, the prints would be subjected to expert analysis. Criminalist Ronald J. Raquel peered through a magnifying glass at a police photo of one of the footprints, found in a bathroom near the kitchen.

His conclusion: It was definitely not made by Lisker's shoes. [ DOCUMENT: Raquel's Report. ]

Gavin turned his attention to Ryan. He tracked down several of Ryan's old friends from the apartment on Sepulveda Boulevard. Gavin learned that Bruce had boasted to Ryan that his parents were rich and that his father owned a stamp collection worth more than \$100,000.

One of the friends was dying of AIDS. Gavin flew to Fort Lauderdale, Fla., to interview him. The man said that before Dorka's murder, some of Bruce's friends had planned to rob the Liskers and had cased the home. Ingels, the private investigator, told Gavin he had information that Ryan had been in that group.

Was it possible an innocent man had been convicted? Gavin wondered. He was determined to find out, but his superiors had other ideas, he said. Supportive at first, they had grown impatient as his investigation dragged on into 2004.

His job was to look into complaints of police misconduct, they said, not to reinvestigate decades-old homicides. Gavin said he was told to limit his inquiry to Monsue's letter and wrap it up quickly.

"I was told to shut it down," he said. "I was told I was done."

Gavin followed orders and turned in an abbreviated report. He wrote, but did not submit, a longer report. The title page read: "The Case of Bruce Lisker: Did a faulty investigation by an LAPD officer lead to Lisker's murder conviction?"

Without telling his superiors, Gavin also gave Ingels a copy of the criminalist's report on the bloody footprint.

"He told me that he was probably going to catch some heat for doing that," Ingels said. "But he said: 'I'm OK with that.'"

### **Claims Dismissed**

Last July, Lisker found in his prison mail a letter on LAPD stationery. It was the department's response to his complaint. An investigation had found no merit to his allegation that Monsue lied to the parole board, wrote Capt. James A. Rubert, the detective's immediate superior.

As for Lisker's broader claims — that Ryan was the real killer and that Hughes had lied on the witness stand — those had already been addressed by the courts, Rubert wrote. No further investigation was warranted.

Lisker said he was disappointed but not surprised. Ingels, a former Pomona policeman, was furious. He called Gavin, who told him that he had been ordered to stop investigating. Ingels wrote Police Chief William J. Bratton, accusing Gavin's bosses of a cover-up.

In response, the department launched a fresh investigation into Monsue's conduct and that of Gavin's superiors.

Gavin is also under investigation — for revealing confidential information about the case. In February, he was transferred from Internal Affairs to the department's training facility in Sylmar.

The evidence Gavin collected was turned over to a detective in the LAPD's cold-case unit, who conducted a quick review and concluded

that Lisker was guilty.

The review turned up a previously overlooked piece of evidence: an old autopsy photo showing a bruise on Dorka Lisker's head. It bore a wavy pattern that looked like a shoe print. LAPD officials said a preliminary examination linked the print to Bruce's shoes, suggesting that he had stomped on his mother's head.

In March, Times reporters asked whether police had compared the bruise to the mystery footprint found in the bathroom. They had not. Deputy Chief Gary Brennan said LAPD experts would perform such an analysis.

But Brennan said he had no doubt that Lisker was the killer.

"An innocent man is not in prison," he said.

### **Fed Up With Questions**

Monsue says he has a "fundamental rule" as an investigator: "Keep it simple, stupid." Lisker was the obvious suspect, the detective said in an interview, and he remains convinced of his guilt.

Monsue denied lying to the parole board about the discovery of the missing grocery money. He said it was his practice to document such developments in writing. He could not explain why no report could be found, he said.

With visible indignation, he insisted that the issue had no bearing on Lisker's guilt or innocence.

"It's mildly interesting to me that they are calling me a liar, OK? What does it prove?" Monsue said. "We've got a lying, cheating, murdering son of a bitch in prison that's making these allegations ... and you're sitting here questioning my credibility.... That upsets me."

As for Ryan, Monsue said he had trouble believing that the teenager would have killed someone over \$150. More important, he said, he had no evidence placing Ryan at the crime scene.

Monsue said he was unaware of the phone call made from the Lisker home around the time of the murder. He said it did not necessarily implicate Ryan. He suggested that Lisker may have tried to call Ryan's mother and accidentally misdialed.

"You've got to keep it simple, stupid," Monsue said. "Usually, people are killed by people close to them."

He said the criminalist's finding that the bloody footprint in the bathroom was not Lisker's stirred his curiosity, "but I would not draw any conclusions ... until I did some work on it."

Monsue said he was fed up with answering questions about his investigation.

"I've got nothing to lose now. I've got my 30 years on, OK?.... My pension is in the bank. But I'm getting very tired of trying to explain this over and over and over and over."

### **A Stunning Discovery**

The missing grocery money has been a recurring issue in *People vs. Lisker*. At the trial, Rabichow told jurors it was not in Dorka's purse, indicating that Bruce stole it.

Mulcahy said the failure to find the money was a glaring weakness in the prosecution's case. If Lisker took the money, where was it? he asked.

Years later, Monsue told the parole board it had turned up in the attic.

The Times learned recently that the money may have been in Dorka Lisker's purse all along.

Three weeks after Bruce was convicted in 1985, a court clerk named B.J. Wilson conducted a thorough search of the purse before putting it in storage along with other evidence.

Wilson snapped on a pair of rubber gloves and dug through the black patent-leather handbag. She'd pull something out, then write it down.

"If there's a toothpick, I write 'toothpick,'" Wilson, now retired, said in an interview. "If there's a piece of gum, I write 'gum.'"

And so she did.

"3 emery boards, granola bar, 2 pencils, plastic bag ... ," reads her three-page handwritten list, which The Times found on microfilm in a court archive in downtown Los Angeles. "Red & orange magnifying glass, cookies in plastic wrap, Kleenexes ..."

Wilson placed an asterisk beside the last entry:

"Also found in brn wallet compartment: 5 \$20.00 bills -- 1 ten-dollar bill, 1 five-dollar bill & 5 one-dollar bills. Total \$120.00." [ DOCUMENT: Wilson's Exhibit Information Report. ]

Told of the discovery, Rabichow said he was stunned.

"It was my habit to look through the exhibits personally. I never introduced something without looking through it, because you never know," he said. "Quite honestly, I'm a little bit upset with myself."

### Visiting the Scene

When he retired from the district attorney's office in 2003, Rabichow didn't look back. He worked on his tennis game and wore himself out trying to keep up with his young daughter.

Rarely did he think of the hundreds of people he'd put behind bars during his 30 years as a prosecutor.

That all changed one afternoon last November, when he met with two Times reporters at a Carrows restaurant in Reseda to discuss the murder of Dorka Lisker.

Near the end of a three-hour meeting, Rabichow slipped on reading glasses and scrutinized a document one of the reporters had slid across the table. It was the criminalist's report on the mystery footprint.

Rabichow was speechless.

He flipped through a transcript of his closing argument to the jury, also provided by the reporters, and was reminded of what he had told jurors back in 1985: that Lisker's footprints, and no one else's, were in the blood.

He reread the LAPD report.

"I don't know what to make of this," he said. "If I had known about it, it's certainly something I would have had to explain."

He said the finding was "clearly exculpatory evidence."

Asked who came to mind as a potential source of the footprint, Rabichow replied without hesitation: "Ryan."

Rabichow left the restaurant feeling uneasy about a case he had thought he knew from every angle. In the weeks and months that followed, he plowed through hundreds of pages of trial testimony, police reports and other documents.

Steadily, his misgivings grew.

He was unsettled by the phone call placed from the Lisker home around the time of the attack. Rabichow said he had "no doubt" that whoever dialed the number was trying to call Ryan's mother — or to act as if he was.

"It's very troubling," he said.

Rabichow said he now wished that Mulcahy, Lisker's defense lawyer, had been allowed to present evidence about Ryan at trial.

"It's never been my contention that [Ryan] wasn't the kind of person to do this," Rabichow said. "He is the kind of person who would do this. I wouldn't put it past him."

Still, Rabichow remained convinced that Bruce could not have seen his mother's body through the dining room window. A dining set and a foot-high stone planter at the edge of the entry hall would have stood in the way. That meant Lisker had lied about what prompted him to enter the house and could not be believed about anything else.

Yet Rabichow couldn't be sure about this unless he looked through the window himself. Years earlier, he had gone to trial without visiting the crime scene, relying on Monsue's investigation.

Times reporters had visited the old Lisker residence twice and had arranged with the current owner to go back again. They asked

Rabichow to join them this time, and he agreed. So on a rainy afternoon in March, he drove to Huston Street and set foot in the house for the first time.

Using police photos and measurements, reporters replicated the position of Dorka Lisker's body. The planter was no longer there, so the reporters built a wooden facsimile of the same dimensions. They also brought an 4-by-8-foot rug to stand in for the one that lay there 22 years earlier.

When Rabichow agreed that the rug and the planter were in the same positions as on the day of the murder, a reporter lay down in the spot where Dorka Lisker's body was found.

Rabichow walked outside and stood in front of the dining room window through which Bruce Lisker claimed to have seen his mother. Rabichow acknowledged that he could see the reporter's head from several vantage points. The dining set and planter were not the obstacles he thought they would be. He could see over them.

He sighed deeply and stood silent for a moment. He said he wished he had conducted such an experiment before the trial.

"I should have come out here," Rabichow said. "This is not what I thought it would be."

### 'A Bombshell'

Ronald Raquel, the LAPD criminalist, had some unfinished business to attend to last month. He had been asked to analyze the footprint on Dorka Lisker's head.

LAPD officials were all but certain Bruce Lisker had made the mark in the course of killing his mother. It seemed to eliminate any doubt about his guilt.

Now, Raquel examined the autopsy photo and compared the purplish bruise with the wavy pattern on the soles of Bruce's shoes.

They did not match.

Raquel then compared the bruise to the bloody shoe print found in the bathroom of the Lisker home — the one he had previously determined was not from Bruce Lisker's shoes.

They looked the same. The mystery footprint, Raquel wrote in his report, was "similar in size and dimension" to the impression on Dorka's head.

LAPD officials, acknowledging that the finding clashes with the case presented at Lisker's trial, forwarded Raquel's report to the district attorney's office.

For Rabichow, the new information was devastating. "A bombshell," he called it.

Even after visiting the house, he had resisted the idea that Lisker may have been wrongly convicted. He wrestled with doubts but still insisted that the totality of the evidence supported a guilty verdict.

He is not insisting anymore.

"The bottom line is I now have reasonable doubt," he said, adding that he welcomed further scrutiny of the case. "The truth is the truth — and I want the truth to come out."

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