

Jeffrey MacDonald new evidence hearing

Los Angeles Times

Updated 11:17 p.m., Monday, September 17, 2012

Wilmington, N.C. -- Jeffrey MacDonald, a Green Beret doctor convicted of the 1970 murders of his pregnant wife and two young daughters, was back in federal court Monday for a hearing on new evidence his lawyer says will prove that MacDonald is innocent.

MacDonald, now 68, was granted the hearing based on defense contentions that newly tested DNA points to other suspects and that sworn statements by a former federal marshal will show that prosecutors threatened a crucial witness whose testimony could have exonerated MacDonald. DNA from three hairs found inside the house does not match MacDonald, his wife or his children, the defense says.

Opening testimony focused on the marshal and a heroin addict, both now dead, as MacDonald's lawyers tried to persuade a federal judge that four intruders committed the murders, as MacDonald has contended for the past 42 years. MacDonald is serving three life terms for stabbing and bludgeoning to death his wife, Collette, and daughters, Kimberley, 5, and Kristen, 2.

The case was a national sensation in the turbulent 1970s, spawning a best-selling book, "Fatal Vision," a hit TV miniseries and decades of speculation and conspiracy theories. U.S. District Judge James Fox must now decide whether to grant MacDonald a new trial.

MacDonald's lead lawyer, Gordon Widenhouse, told the judge that "no reasonable juror" who heard the new evidence would find MacDonald guilty.

In opening statements, Widenhouse said Deputy U.S. Marshal Jimmy Britt heard the heroin addict, Helena Stoeckley, tell a federal prosecutor in 1979 that she and others were inside MacDonald's home at Fort Bragg, N.C., the night of the murders on Feb. 17, 1970. But Stoeckley did not repeat those statements during her testimony at MacDonald's 1979 federal trial because the prosecutor threatened to charge her with murder if she did so, Widenhouse said.

The defense says Stoeckley, who died in 1983, is the mysterious woman in a floppy hat MacDonald says was one of four intruders who burst into his house, stabbed and beat him unconscious, and killed his family. Stoeckley told reporters and others over the years that she was inside the house when her boyfriend and another man committed the murders.

MacDonald told investigators that one intruder chanted, "Acid is groovy, kill the pigs," inviting comparisons to the Charles Manson cult killings in California six months earlier. Police found the word "pig" scrawled in blood on a headboard in MacDonald's home, and the same word was written in blood at the murder site in the Manson case.

Prosecutors allege that MacDonald concocted the scenario after reading an Esquire Magazine account of the Manson murders.

MacDonald attended the proceeding, dressed in a baggy tan prison uniform with the words "Inmate New Hanover County" printed on the back. The hearing is expected to last up to two weeks.

Ads by Yahoo!