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Cosmetics Heir Faces Court Hearing Crime: Andrew Stuart Luster denies 88 counts related to alleged sexual assaults on unconscious women caught on video.

By Tina Dirmann
Times Staff Writer

After months of delay, the great-grandson of cosmetics king Max Factor is scheduled to appear in court today to hear evidence prosecutors say proves he is a rapist who used a date rape drug to render his victims unconscious before videotaping his attacks.

Andrew Stuart Luster, 37, is charged with 88 counts of rape, sodomy, oral copulation, poisoning and sexual battery; 38 of those counts were recently added. These counts include five charges of possession of a deadly weapon, because a cache of guns was confiscated from Luster's seaside home in Mussel Shoals.

Luster has vigorously denied all charges, saying that every sexual act captured on videotape was photographed with the consent of his partners, a fact Luster's attorneys say will become abundantly clear after Tuesday's hearing.

"The public will have a very different perspective of this case;" said attorney James Blatt. "Mr. Luster is a law-abiding citizen, not a predator, and what this case really involves is the very fundamental right to privacy in the bedroom and intimacy with one's partner."

Luster, whose net worth has been estimated as high as \$30 million by prosecutors, was arrested last July after a 21-year-old Santa Barbara woman told authorities she suspected that Luster sedated her with the date rape drug GHB and sexually assaulted her.

The woman, whose identity has not been released, said that she and a male friend met Luster in a bar in Santa Barbara and that he offered both a glass of water. Shortly afterward, both reported feeling extremely intoxicated and ended up at Luster's home, where the woman says she was raped.

During a search of Luster's home, authorities uncovered dozens of videotapes that they say show him engaged in sexual acts with women who appeared unconscious. Police identified two of the women on tape, both of whom told investigators that they had no idea the videos had been made.

Luster has said all the women knew what they were doing and that the last two women were long-term girlfriends who regularly took GHB, which in smaller quantities can produce a high similar, to alcohol. It also is considered an aphrodisiac, Luster's attorneys said.

"These were two girlfriends who had long-term sexual relationships with him and as part of that they took GHB on a continual basis," Blatt said.

Defense attorneys have argued that the women are only now cooperating with authorities because they are scorned lovers out for revenge. And the first victim, they reason, is a young woman ashamed of her "party girl" behavior.

Today's hearing will not be the first time Blatt has gone up against prosecutors alleging GHB was used to commit multiple acts of rape.

In 1999, Blatt helped a Santa Monica investment banker and his girlfriend beat charges that they drugged and raped two women at their Bel-Air mansion. Prosecutors dropped charges that could have brought the pair 120 years in prison after the victims, under intense cross-examination from Blatt, admitted they drank alcohol and used cocaine before the incidents.

Blatt is hoping for a similar outcome today, when all three alleged victims are scheduled to take the stand. A judge also will review the tapes confiscated from Luster's home, one of which, according to court documents, shows Luster saying into the camera, "I dream about this, a strawberry blond passed out on my bed, waiting for me to do with her what I will."

At the end of the hearing, expected to take about four days, a judge will decide whether there is enough evidence against Luster to merit a trial.

In December, Luster won a court battle to reduce his record \$10-million bail to \$1 million, which he posted after agreeing to remain on house arrest. He is confined to his home and must wear an electronic monitor and submit to drug tests and random searches.

Blatt said he hopes the case doesn't make it to a jury. But if it does, he believes jurors will be sympathetic to Luster.

"Even in this conservative community of Ventura County," Blatt said, "I think people understand there are alternative lifestyles. And what this case involves is the privacy of a relationship. And I think any community concerned with privacy would be concerned about this case."

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Trial ordered in rape case

By: Cecilia Chan
Staff Writer

An heir to the Max Factor cosmetics fortune was ordered Monday to stand trial on charges of drugging, raping and videotaping three women in Ventura County's first criminal case involving the use of the date rape drug, GHB.

Andrew S. Luster, 37, who is under house arrest, faces arraignment June 25 on 87 counts that could bring him life in prison if he is convicted.

He declined comment as he left the fourth-floor courtroom, and his attorney, Joel Isaacson, said he plans to ask that Luster's high-profile trial be held outside Ventura County.

Senior Deputy District Attorney John Blair called the ruling "appropriate, based on the substantial evidence that came out showing a pattern of sexual assault committed by the defendant."

In court, defense attorney James Blatt argued for the charges to be dismissed based on a lack of evidence. The defense claimed during Luster's three-day preliminary hearing that the three women consented to having sex with the defendant and to be videotaped doing so.

Blatt also attacked the credibility of witnesses Carey, "Doe" and David "Doe," both students at the University of California, Santa Barbara, who testified Friday that Luster drugged them with gamma hydroxyl butyrate after they met him in a bar last year.

Blatt questioned how Carey was able to recall being sexually assaulted by Luster three times and yet had no recollection of having sex in the back seat of Luster's car with David Doe a casual acquaintance, or of having a photo taken after the first alleged assault that showed her smiling.

Blatt also argued that Carey and David were not drugged but willingly drank alcohol and were intoxicated and that Carey never verbally or physically resisted Luster.

Blair countered that testimony from the prosecution's witness, a noted doctor showed that GHB causes memory loss and that the effects the illicit drug would include "happiness and euphoria."

Judge James Cloninger, however, said he found both witnesses to be credible, especially in light of what occurred with two other purported victims, Tayna "Doe" and Shauna

Doe, “we were both shown videotaped being sexually assaulted by Luster while unconscious.”