

# First Trailside jury picked

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LOS ANGELES — The first of two juries in the trial of Trailside murder suspect David Carpenter was seated Friday — almost two years after two students were shot in Henry Cowell Park.

It took more than four months to seat the 12 jurors for the penalty phase of the trial. They will decide if Carpenter will face the death penalty or life imprisonment if he is found guilty. In announcing the jury selection Friday, Santa Cruz County District Attorney Art Danner said four alternative jurors would be selected next week.

A second jury to consider the guilt or innocence question in the trial is still to be selected, but that process should proceed more quickly, according to one of Carpenter's defense attorneys.

"I don't think it will take much longer than two to three weeks to select the second jury," lawyer Gerry Christensen said in Santa Cruz Saturday. He expected the trial to be under way by mid-March.

Carpenter, 53, is charged with two murders, one attempted murder, rape and attempted rape in the 1981 slayings of Ellen Hansen and Heather Scaggs and the shooting of Hansen's boyfriend Steven Haertle in Santa

Cruz County state parks. He is also facing charges in five Marin County murder cases which bore similarities to the local "Trailside Murders."

Christensen said selection of the first jury took so long because each prospective juror had to be "questioned deeply on their feelings about the death penalty" in closed court. Carpenter faces death in the gas chamber if he is convicted.

The defense team — Christensen and Larry Biggam — had called for two juries to hear the case, over the objections of the prosecutors. Selection of the second jury should be faster, Christensen said, because it would be done in open court. The guilt-innocence jury will deal with the facts of the case and they need not be questioned privately about their feelings on the death penalty.

Christensen also voiced complaints about Danner's plans to call some 70 witnesses more than he had previously announced. Defense attorneys were supposed to be supplied with a list of all prosecution witnesses during the discovery phase, but Christensen claimed Danner had added 20 witnesses, then 50 more, to the original list of 90.

Danner was reportedly out of town

and unavailable for comment Saturday.

Christensen said the defense would ask the court for more time to question the new witnesses. If not given that time, the defense will move to strike them from testifying in the case.