

# ✓ *murder* Psychiatrist takes stand in Turturici trial

By MAY WONG

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SANTA CRUZ — Something drove Rick Foster “over the edge” the night he was slain on Highway 1, according to the defense in the David Turturici murder trial.

Something caused him to chase and taunt Turturici for miles before he was ultimately found dead on a freeway shoulder in Capitola, says defense attorney Ben Rice, who contends Turturici shot Foster in self-defense.

Psychiatrist James Missett, an expert witness for the defense, testified Wednesday that a combination of things could have helped send Foster into a rage:

- Alcohol. The night Foster’s body was found, he had a .13 blood-alcohol level. The legal driving limit is .08.
- Anti-depressants. Despondent over a break-

up with his girlfriend, Foster had begun taking Zoloft about a week prior to the shooting.

- Sleeping medication that was also found in Foster’s body.

- His obsessive personality and problems with anger. After reviewing parts of Foster’s journal, his books on anger management, and various reports from police, family members, and co-workers, Missett said he concluded Foster “was a tortured and tormented man who was trying to deal with his anger.”

Under cross examination, Missett said it is natural for people to become angry after they are tailgated. It is, however, “unusual,” Missett said, for someone to tailgate in revenge and to continue doing so for miles.

In addition, Missett said under cross-examination that Foster was not an uncaring man. “He was hurt about how his anger drove

people away from him or scared them ... He didn’t have a callousness of evil. He was someone with an emotional problem.”

Missett also agreed, when questioned by the prosecutor, Chief Deputy District Attorney Jon Hopkins, that his opinions were not conclusive.

“Anyone should treat what I say with caution because Mr. Foster is not here,” Missett said. “Everything I’ve said is based just on what he said or wrote.”

Turturici, 42, of Aptos, is accused of fatally shooting Foster, a 38-year-old software engineer and Summit area resident, on Highway 1 near the 41st Avenue exit around midnight on Feb. 8, 1996.

Turturici turned himself in to authorities after police linked him to the shooting with a license plate number that Foster had scrawled on a piece of paper left in his car.