

SJM 2/21/92 B-1 CHILD ABUSE

Child endangerment verdict: guilty

BY PAUL ROGERS
Mercury News Staff Writer

A Santa Cruz jury on Thursday found Patrick Eggleston guilty of three counts of child endangerment, closing a significant chapter in the emotional and closely watched Ruby Pointer child-neglect case.

After three days of deliberation, jurors supported prosecutors' arguments that by doing little to improve living conditions in his filthy townhouse, Eggleston shared responsibility with Pointer for the neglect of their three

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— Jury foreman Kelly Ross

young daughters.

The jury convicted Eggleston of one felony and two misdemeanors. He was found not guilty of a lesser marijuana cultivation charge.

Eggleston now faces up to three years in prison. Sentencing is April 7.

"This was not a normal family," said jury foreman Kelly Ross afterward. "This was a bizarre situation."

While Santa Cruz Superior Court Judge Richard Kessell read the verdicts, Eggleston, 37, sat motionless, paying careful attention but showing no reaction.

Released on his own recognition, he left court without comment.

Since it began last summer, the Pointer saga has shocked Santa Cruz residents and gained national attention, both for its graphic nature and the questions it has raised about the government's

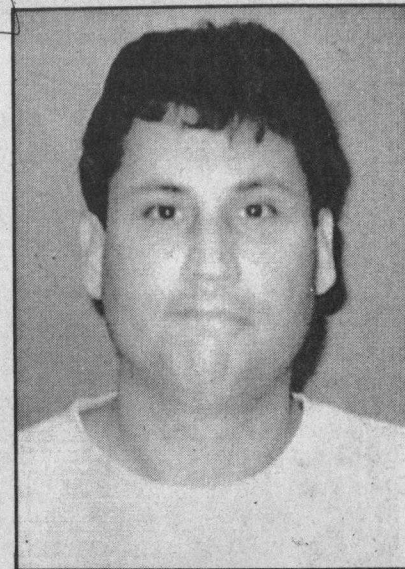
role in protecting endangered children.

Police responding to a noise complaint at Eggleston and Pointer's east Santa Cruz residence on June 19 found the girls — ages 2, 5 and 6 — hiding in piles of garbage and unable to speak beyond grunts.

Authorities described the incident as one of the worst cases of child neglect they had ever seen.

In September, the Santa Cruz County grand jury indicted Eggleston on three felony counts of child endangerment, which re-

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Patrick Eggleston
Held responsible by jury

Eggleston found guilty of child endangerment

■ EGGLESTON

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quire proof of "death or serious bodily harm."

But in interviews after the trial, jurors said they downgraded two of the charges to misdemeanors because they were unsure if the eldest and youngest daughters' developmental difficulties were partly caused by a congenital problem such as autism.

Testimony from doctors revealed that possibility existed. Foster parents said all three girls growled like wild cats, defecated on furniture and could not feed or dress themselves.

Prosecutors were left with the difficult task of proving a negative: that Eggleston was culpable for not being a better parent.

He could have faced nearly 10 years in jail.

"Under the circumstances, we're very satisfied," said District Attorney Art Danner.

Eggleston's attorney, Stephen Wright, argued all along that Eggleston was a simple man who did his best and was not present at the house much of the time.

"He was not functioning on all cylinders," Wright said Thursday, noting that Eggleston had a nervous breakdown as a teenager and suffered a head injury as a child.

"There's a violation of moral responsibility, but I don't see what he did or rather didn't do was a crime."

Medical evidence strongly suggesting that at least two of the three girls had been molested never surfaced in court. Prosecutors did not pursue molestation charges against Eggleston. They feared they didn't have enough evidence linking him to the crime and in the process could have lost the entire case.

Thursday's verdict had a long and controversial prelude.

A decade ago, Pointer gained

notoriety after she nearly starved to death two infant sons. She was then ordered by a judge not to have any more children as a condition of her five-year probation.

The California Supreme Court overturned that ruling in 1984, however. Soon afterward, Pointer began having more children with Eggleston, a perennially unemployed local with a penchant for moving in with welfare mothers and sharing their benefits.

Although Pointer had a long history of mental instability, she continually slipped through the social service cracks. For years she was able to convince probation officers, welfare officials and social workers of her sanity.

After her arrest this summer, public outrage sparked a state investigation. When the state Department of Social Services chastised Santa Cruz County's Child Protective Services Agency for not visiting Pointer regularly or taking custody of her children earlier, county leaders overhauled the department.

Last fall, doctors diagnosed Pointer as acutely schizophrenic. She remains in a maximum-security mental hospital near San Bernardino and may never stand trial.

Her children all live in Santa Cruz County foster homes, where they are reported to be improving dramatically.

With Pointer mentally ill and her children unable to speak, there was no one who could explain firsthand what went on inside her house except Eggleston. He did not testify during the three-week trial.

"I don't think you'll ever know the whole story," said Patty Bazar, the assistant district attorney who prosecuted the case. "I believe the jury only heard the tip of the iceberg."

Mercury News Staff Writer Lee Quarnstrom contributed to this report.