

Abuse didn't trigger killings, says expert

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The Associated Press

LOS ANGELES — The severe abuse and ridicule he received as a child did not cause convicted Trailside Slayer David Carpenter to murder two women, a prosecution psychiatrist testified Tuesday.

"Having an unhappy childhood is not a very rare circumstance," said Dr. Thomas Szasz. "To correlate that in some direct way with subsequent serious criminality flies in the face of human history."

Santa Cruz District Attorney Arthur Danner asked Szasz: "Did that (childhood abuse) overcome his freedom of choice when he was deciding to pull a trigger and put a bullet in somebody's head?"

"No, it does not diminish choice," said Szasz, a professor of psychiatry at New York State University at Syracuse.

Szasz was testifying in the penalty

phase of Carpenter's trial. A jury is deciding between death in the gas chamber and life in prison without the possibility of parole.

Carpenter, 54, was convicted by another jury of killing Ellen Marie Hansen and Heather Scaggs, both 20, in separate 1981 attacks in Santa Cruz County. He was also convicted of raping Scaggs, the attempted rape of Hansen and the attempted murder of Hansen's boyfriend, Steven Haertle, then 20.

In earlier testimony, Carpenter's abuse at the hands of his parents and the ridicule he suffered because of a severe stutter were detailed.

But Szasz said that although childhood experiences "shape" a person's life they do not determine it.

"He may have been somewhat more

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prone to engage in anti-social criminal acts than someone with a different background," the psychiatrist testified, adding that such a person has an "obligation to be more aware of their own proclivities and to control them."

Carpenter's performance as a "model prisoner" in jail was "overwhelming proof he could control his behavior," Szasz said.

Under cross-examination, Szasz conceded that very few of his colleagues in psychiatry would admit publicly to sharing his opinion that criminal behavior is not linked to mental illness.

But at a cocktail party, he said, "99 percent" would be in agreement.

The view that criminals are mentally "sick" is a "very unscientific one," he said.

Also Tuesday, Superior Court Judge Dion Morrow refused to allow testimony regarding law enforcement reports containing second-hand quotes from Carpenter.

"There's nothing like having the power of a gun to get what you want," a woman friend of Carpenter's quoted him as saying in one report.

"To get away with murder, that's the ultimate challenge," Carpenter also allegedly said in conversation with a friend from prison and the man's girlfriend, according to another report.

Morrow called that information unreliable, saying it was nothing more than "people sitting around chewing the fat between ex-cons and a girlfriend."

Carpenter still faces trial on five counts of murder in slayings along Marin County trails in 1980.

The Santa Cruz case was heard in Los Angeles County on a change of venue because of extensive pretrial publicity.

Trailside Murders