

Murder suspect gave shout of elation, witness testifies

KING, ERNIE - MURDER

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SANTA CRUZ — Why did Ernie King climb into the back of a pickup truck with a man who had just beaten him?

And what prompted King, a few minutes later, to jump to his death from the truck as it sped along Summit Road on June 24, 1988?

A key witness offered the prosecution's explanation to the first question Thursday when he told a five-man, seven-woman jury he heard murder suspect Robert Spedding command King to get into the truck.

Timothy Mather couldn't answer the second question, because he saw only one man in the back of the truck when it sped by a place he was parked a few minutes later.

But he said he heard a shout of "Yah-Ha!" as the truck roared by.

Pressed by the defense to explain the shout, Mather said: "It was the sound like you would make when you are skiing and have just had a great run."

Mather's testimony came on the first day of what is expected to be a monthlong trial in Superior Court.

Assistant District Attorney Christine McGuire contends that Spedding ordered King out of the truck after attempting to rob him. She has charged Spedding with first-degree murder.

Defense Attorney Mitchell Page claims that Spedding was shocked when all of a sudden King bailed out of the truck. Page says King may have been afraid of the way the truck was racing down the road

and thought he could jump safely onto the dirt shoulder.

He told the jury in his opening statement that Spedding had struck King because he thought King seemed to be staring at Spedding's genital area. Page said Spedding did not know that King had vision problems.

Page said King accepted a ride in the truck, despite the misunderstanding.

In other testimony Thursday, King's widow, Nancy, took the stand and broke down in tears as she examined some of her husband's belongings found alongside his body.

She said her 38-year-old husband worked as an education counselor at Fort Ord by day and attended

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graduate classes at San Jose State University on some afternoons.

Because King was legally blind, she said he had to depend on others for rides. But she said King's vision problems were not readily apparent. In fact, she said, she could not tell he had any problem when she first met him at a church meeting.

One of the people kind enough to give King rides was a fellow psychology classmate who brought King from school to the summit after class.

Nancy King said her husband would then call her from the park-and-ride lot.

On June 24, she said, she put the

phone outside so she would hear her husband's call as she played with their two sons, now aged 5 and

3. She had dinner prepared. It just had to go in the microwave.

Even though a phone call had been arranged, she hadn't yet had to drive to pick up her husband.

It was only the third meeting of that particular class, she said, and on the other two occasions he had managed through good fortune to happen upon rides home from the lot with "good people; family people," Mrs. King said.

On June 24, 1988, King encountered three young construction workers who had consumed many pitchers of beer at a Los

Gatos pizza parlor before driving up to the parking lot at the summit to wait for some buddies who had lagged behind.

Mather testified that he looked over at the lot while stopped at a stop sign nearby. He said he was struck by the fact that King did not seem to fit in with the other men. He was neatly dressed and the others were in jeans.

King, he said, was staggering. Mather said he just assumed King was drunk as the others appeared to be.

"Now I would say that he was dazed," Mather said.

He said he saw one of the workers — whom he identified as Spedding — strike King and knock him to the ground.

As King tried to crawl away, Mather said he heard Spedding tell him to "Get in the truck, we'll give you a ride."

He said it sounded like a command.

Testimony will resume on Tuesday after the Labor Day holiday.