

Family rips plea bargain

Suspect pins killing on dead girlfriend, gets manslaughter

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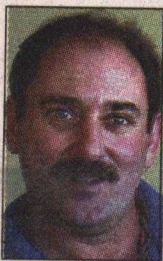
✓ *murder*
SANTA CRUZ — An Aptos man who admits to helping his girlfriend drag her mother's body to the mountains in a trash can tied to a Toyota before burning and burying it plans to accept a prosecution offer. He will confess to voluntary manslaughter in exchange for nine years in prison.

Robert Beckwith, 45, of Aptos, will be sentenced June 9. He maintains he did not participate in the murder but helped after the fact.

The deal prompted an outcry Thursday from the victim's family.

Beckwith and his then-girlfriend, Paula Burnson, were arrested in early 2002 on suspicion of strangling Elvira Burnson, 64, a Gilroy high school teacher who had been trying to help her daughter shake a heroin addiction, on Jan. 7, 2002. The body was wrapped in a rug, stuffed in a trash can and towed behind her car to the Logan Creek area, where it was partially burned and buried. Police discovered the location by taping a phone conversation Paula Burnson made while in the behavioral health unit at Dominican Hospital.

Burnson's family met with prosecutors for two hours Thursday, then held a press



BECKWITH

Says he is not guilty but would not get fair trial

Beckwith

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conference, saying they believe Beckwith helped kill Elvira Burnson. And while praising police and saying the District Attorney's Office had its hands tied, they were angry.

"We feel there is more protection for the criminal in Santa Cruz than the victim," said Marina Azucena of Morgan Hill, Elvira Burnson's niece. "It's been an eye-opening, painful experience that I don't wish on anybody. Bob Beckwith is walking free with the support of his community."

Azucena said the system "stinks," as evidenced by Beckwith having the money to bail out yet still using a public defender, and by the fact he was married by the same Superior Court judge hearing his murder case, Art Danner.

Azucena said the case seemed to be given less weight because the victim was a Latina.

His story

Police say Beckwith at least helped kill Burnson and gave conflicting stories about where he was when Burnson was strangled in the Kaye Street apartment in Beach Flats he shared with Burnson. Detectives also say a forensic pathologist testified that Paula Burnson did not have the strength to kill her mother alone.

But Beckwith, in an e-mail interview with the Sentinel, said he only mistakenly helped a woman he "loved very much ... to stay out of trouble."

He said he always left the apartment he shared with Paula Burnson when her mother visited, as she blamed him for her daughter's drug relapse. He said he slept in his truck Jan. 7, and when he came into the apartment the next day, Burnson was standing over her mother's body saying, "I'm glad she's dead!" They spent all night trying to figure out how to get rid of the body, he said.

Elvira Burnson had reportedly threatened to cut her daughter off from a trust fund if she did not stop seeing Beckwith. But Beckwith said the trust fund had been depleted years ago and consisted only of "family back East" paying her \$600 monthly rent.

Beckwith posted \$1 million bail and was released from jail June 11, using funds from the 2001 sale of a Seacliff area home, a "small loan" from his new wife, Trish, and his mother's Aptos home for collateral, he said. His wife is expecting a baby boy early next month.

Paula Burnson, 31, killed herself in County Jail July 13.

"I am not guilty of manslaughter," Beckwith said. "I took the deal because I feel it would be almost impossible to get a jury of my peers to be able to separate the difference between what I did to help Paula (hide Mrs. Burnson's body) and actually killing Mrs. Burnson."

Beckwith said he believes he could be paroled in 5½ years, as he served 17 months in jail and is eligible for parole after serving 85 percent of his term.

He will plead no contest, he said, and looks at it as doing the maxi-



ELVIRA BURNSON

Tried to get her daughter to face addiction



PAULA BURNSON

Had a stormy relationship with her mother

'He deserves nothing less than to live the rest of his life in prison. I honestly feel that a human life comes way too cheaply in this county. ... If this is the best we can do, ... we have no business asking parents to get involved.'

POLICE LT. STEVE CLARK,
LEAD INVESTIGATOR

mum sentence for his part. He said if the Burnson family wants to blame him, it's OK if it makes them feel better.

"In hindsight ... I wish I would have been honest with the police about what happened," he said. "She might still be alive today, Mrs. Burnson's family could have had appropriate closure sooner ... and I would have been home by now had I been charged with what I am really guilty of."

The suicide

Prosecutor Christine McGuire said a no contest plea is the legal equivalent to a guilty plea. She said the prosecution's case began to unravel when Paula Burnson killed herself.

"It's an agonizing decision to have to negotiate a murder case," she said. "The district attorney and I spent hours getting to this point."

There were no witnesses to the slaying and no direct physical evidence linking Beckwith to it, she said, and the defense was certain to paint the suicide as guilt-induced.

She also said she expected the defense would provide a "very detailed history" of the stormy relationship between the Burnsons.

"(Paula Burnson's) suicide triggered a whole series of events," McGuire said. "We had to evaluate the risks of going to trial given the current state of the evidence, so on balance, we determined it would be best to ensure that some justice is obtained. He will go to prison and be on parole for up to seven years, and it's a strike. These are all important things. The worst case would have been to try him and have him walk out the door."

Further weakening the case was a March U.S. Supreme Court decision called *Crawford vs. Washington*, which limits the amount of hearsay evidence admitted in criminal trials, she said. That decision could prevent prosecutors



from using statements Burnson made to police and to a family member in a phone call taped by detectives.

Lt. Steve Clark, lead investigator in the what he called an "incredible case," said he "respectfully disagrees" with the decision not to take the case to trial.

"I'm absolutely offended he would walk away with a nine-year prison term, and I would think any reasonable person who cares any degree for victims of crimes should be offended by that," he said. "He deserves nothing less than to live the rest of his life in prison. I honestly feel that a human life comes way too cheaply in this county."

"Bob Beckwith is a manipulative sociopath and none of the explanations he gave to account for his time made sense," Clark said.

Clark said the outcome is even more difficult to swallow because Elvira Burnson was doing "all the legal system asks" from parents of drug-addicted children when she was slain. He said Paula Burnson was "obviously troubled", and her mother was fighting to save her.

"And if this is the best we can do after the fact, then we have no business asking parents to get involved," he said.

The end

The June 9 plea bargain and sentencing will occur jointly, McGuire said, so Beckwith goes straight to prison after the Burnson family has a chance to speak.

Beckwith grew up in Aptos and owned Tavern Liquor in Live Oak, Discount Plus market and worked as a glazier, he said. He met Burnson while driving for an "outcall stripper service" where she worked. They dated for 18 months, he said, and both used heroin.

He said Burnson never told him what happened that day, but that he believed Elvira Burnson was trying to have her daughter committed to a mental-health facili-

Elvira Burnson's niece, Marina Azucena, pauses to regain her composure during a news conference Thursday. Family members are upset by the length of Robert Beckwith's proposed prison sentence outlined in a plea bargain with the District Attorney's Office, saying justice is not being served.

Shmuel Thaler/
Sentinel

being a felon with a loaded handgun.

Paula Burnson was the only daughter of Elvira and Charles Burnson, who died of cancer about five years ago, family members said.

Elvira Burnson was born in El Salvador and was a community activist who helped migrant workers and others.

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