

# Trailside defense wraps up its case

By FELIX GUTIERREZ  
The Associated Press

LOS ANGELES — The defense for Trailside Slayings defendant David Carpenter rested with testimony attorneys hoped would avoid a gas-chamber sentence for Carpenter if he is convicted of multiple murders.

Santa Cruz County District Attorney Art Danner said this morning the jury will start deliberating next week and could return a verdict Thursday or Friday.

"Special circumstance" allegations, which under state law could bring the death penalty, are that Carpenter committed more than one murder, tried to rape Ellen Hansen before she died, lay in wait planning to attack his victims and raped Heather Scaggs before she died.

Defense counsel Larry Biggam said outside court Tuesday that he had tried through his witnesses to "disprove the special circumstances."

Two investigators with Biggam's law firm testified Tuesday about visibility along the forested Ridge Trail in Henry Cowell Redwoods State Park.

Ms. Hansen was murdered and her boyfriend attacked on the mountain trail in March 1981. Carpenter, 53, is charged with murder, attempted murder and attempted rape in the attack.

Investigator Margaret Erickson said the murder site was visible from a public observation platform when she visited the park last May.

"I don't think that shows careful plan-

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## Trailside trial

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ning and premeditation," said Biggam of the view.

But Santa Cruz County district attorney's investigator Stoney Brook said the site was not visible from the platform when he was at the scene a month after the attack.

Carpenter also is charged in the rape and murder of Ms. Scaggs, whose body was found May 26, 1981, in Big Basin State Park.

A serologist had earlier testified that semen found in Ms. Scaggs' body was there 24 hours to 36 hours before her death, and Biggam said Tuesday, "There is no evidence to suggest it was deposited at the time of death. That really relates to the special circumstances of rape."

Danner said this morning he plans to recall a pathologist who testified earlier for the prosecution, Dr. Richard Mason, to rebut the serologist's testimony.

Danner said closing arguments from both sides could be finished Monday. De-

pending on how long jury instructions take, Danner said, the jury could return a verdict by Thursday or Friday, after the July 4 holiday.

If the jury convicts Carpenter, a second jury will decide on a recommendation for life in prison without parole or death in the gas chamber.

The penalty phase, if necessary, is expected to begin Aug. 13, Danner said. He estimates it would last approximately one month.

The case is being tried in Los Angeles because of pretrial publicity in Northern California. Carpenter also has been charged with five murders in the 1980 Marin County trailside deaths of Anne Alderson, 26; Shauna May, 23; Diane O'Connell, 22; Cynthia Moreland, 18; and Richard Stowers, 19.

Carpenter has spent 17 years in prison on convictions of attempted murder, rape and robbery and kidnapping. He was arrested in the San Francisco Bay Area on May 15, 1981.