

KING, Ernie

# Driver in death gets jail

Man sentenced for role  
in death of Ernie King

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SANTA CRUZ — The driver of a pickup truck from which a well-known Live Oak man allegedly was forced to his death last summer was sentenced to nine months in jail Thursday at a tearful hearing in Superior Court.

Bret Erickson, 25, pleaded no contest last month to a felony charge of leaving the scene of an accident. Under a plea agreement, Erickson was to be sentenced to no more than a year in County Jail.

Erickson was the driver of a 4x4 pickup truck from which authorities allege that Robert Spedding forced Ernie King to his death last June 24 on Summit Road.

Erickson has said he drove away because he was scared he would get blamed.

King's widow, Nancy, and his mother, Carol Youngmark, were in court Wednesday to urge Superior Court Judge Bill Kelsay to impose the maximum sentence.

"It doesn't take a genius to see that Bret Erickson was more concerned for himself than for a dying man on the side of the road," Nancy King wrote in a letter read by Assistant District Attorney Christine McGuire.

"The vision I see over and over in my mind of my husband being abandoned and hurting is one that will never be erased," King wrote.

She said she would always consider Erickson to be an accomplice in her husband's death.

"Mr. Erickson doesn't need to fear the jail sentence, nor society, or family or friends. Unless Bret Erickson decides to become a man who demonstrates integrity and love for his fellow man, he needs to fear his own lack of human dignity, and selfishness, and rebellion against God and His principles," wrote the widowed mother of two young sons.

According to police reports and testimony at a preliminary hearing, King, 38, had approached Spedding at a commuter parking lot on Summit Road and asked for a ride home down Old San Jose Road.

King, who suffered from tunnel vision and did not drive, was returning home from a graduate class at San Jose State University. He had received a ride to the commuter lot from a classmate who lived in the Summit area.

Witnesses testified at the preliminary hearing that Spedding began to punch King shortly after King approached him. At that point, Erickson pulled up in his truck and a passenger, Gregory Kern, jumped out and joined in the beating.

Then for some reason, witnesses said, King climbed into the back of the truck with Spedding and the truck drove away.

A few minutes later a passer-by found King dead in the roadway.

Spedding's attorney, Mitchell

# Death/ Nine-month sentence

Continued from Page A1

Page, claims that, again, for some unknown reason, King jumped from the back of the moving truck.

Spedding has been charged with murder in the case. His trial is scheduled to begin next month. The trial for Kern, who has been charged with assault with intent to cause great bodily injury, is scheduled to follow.

Ernie King was active in his church and, his mother said, "would be the first one to forgive." But, Youngmark said, society demands just punishment.

"They didn't get justice," McGuire said after the sentencing.

"Justice would have been one year in County Jail."

She argued that Erickson has not learned a lesson. Even after King's death, she said, Erickson was with Spedding when Spedding — out of jail on bond — was arrested in Campbell on suspicion of drunken driving.

In an emotional speech, Erickson's attorney, Steve Wright, said that if a year in jail would ease the King family's pain and suffering, then it would be just. He said he trusted Kelsay's wisdom.

Kelsay said alcohol was at the root of the case.

"Alcohol is the demon within you," he told Erickson, adding,

"This whole tragedy would not have occurred if it had not been for drinking," he said.

Testimony at the preliminary hearing indicated that Spedding, Kern and Erickson had drunk large quantities of beer at a Los Gatos pizza parlor before they encountered King at the Summit.

Kelsay ordered Erickson to abstain from alcohol during his five years of probation.

"I want you to know that if you drink, I'll put you in prison," Kelsay said.

Kelsay praised King's "beautiful" life. "If you have any sense of dignity, you'll live the rest of your life in exemplary fashion," he told Erickson.