

Trailside Murders Carpenter Trial Pathologist's testimony to wind up trial

By FELIX GUTIERREZ

The Associated Press

LOS ANGELES (AP) — Rebuttal testimony in the trial of Trailside Slayings defendant David Carpenter began today with a prosecution pathologist showing slides of fluid taken from the vaginal tract of a murder victim.

Dr. Richard T. Mason of the Santa Cruz County coroner's office displayed the slides taken from Heather Scaggs' body to support the prosecution's contention that she was raped before she was killed.

Mason had previously testified that the semen entered her body shortly before she

was killed in May 1981.

Defense witness Bryan Wraxall testified last week that it was his estimate that the semen was in her body for 24 to 36 hours before her death. Defense attorneys say his testimony indicates she was not raped before she was killed.

Rape is one of the "special circumstances" that would allow penalty phase jurors to consider the death penalty for Carpenter if he is found guilty of murdering Ms. Scaggs.

Carpenter is charged with raping and killing Ms. Scaggs. He is also on trial for the murder and attempted rape of Ellen

Marie Hansen, 20, and the attempted murder of Steven Haertle, then 20, in Henry Cowell Redwoods State Park on March 29, 1981.

Superior Court Judge Dion Morrow told jurors earlier this week that if rebuttal testimony ends today, attorneys for both sides will make their closing arguments on Monday and Tuesday of next week.

Carpenter is being tried in Los Angeles County because of pretrial publicity on the murders in Northern California. The case is being heard by two juries. One will decide guilt or innocence and a second will

decide between life imprisonment and the death penalty if he is found guilty.

Carpenter, 53, has served 17 years in prison on convictions of attempted murder, rape and robbery and kidnapping. He was working at a Hayward trade school that had also employed Ms. Scaggs at the time of his arrest on May 15, 1981.

He is also charged with five 1980 trailside murders in Marin County. These charges, which have not yet been set for trial, involve the deaths of Anne Alderson, 26; Shauna May, 23; Diane O'Connell, 22; Cynthia Moreland, 18; and Richard Stowers, 19.