

Hearing set in Kern deputy's death penalty case 11/12/2009

A Kern County Sheriff's deputy sentenced to death for murdering two prostitutes is coming back to Bakersfield court for a hearing on whether his death sentence should be reversed.

In one of Kern County's most notorious murder cases, David Keith Rogers, now 62, was convicted of murdering two Union Avenue prostitutes in separate incidents in 1986 and 1987. One was 15 years old and pregnant when she was shot to death.

The California Supreme Court upheld his conviction in 2006, but ordered a local hearing on whether his sentence should be reduced from death to life with no possibility of parole. That hearing is set for Nov. 20.

Rogers had a history of abusing prostitutes. He was fired in 1983 for on-duty violence against a prostitute, but that case was dropped when the victim mysteriously disappeared. Rogers was a suspect in her disappearance, but never was arrested.

After he was convicted of the 1986 and 1987 killings, prosecutors told a jury he deserved to die for the crimes. In the penalty phase against him, they called a witness who said she was a prostitute and was attacked by Rogers in 1986.

Rogers' attorneys now say there was another man preying on Kern County prostitutes at that time. The lawyers want to know if prosecutors knew, when they were accusing Rogers of the attack, that the other man was a suspect in the attack.

The Supreme Court ordered a hearing on 14 questions regarding that issue

It's just the latest development in a case that has fascinated Kern County and made worldwide headlines for decades.

Rogers became a suspect in the case when a Kern County crime lab criminalist noticed both women were killed with the same kind of bullet – and it was the kind of bullet the Sheriff's Department gave to deputies.

Rogers took the witness stand in his own behalf. He admitted one murder and said he couldn't remember the other.

A psychiatrist testified the deputy was frightened by the 15-year-old prostitute because she stirred his memories of childhood sexual victimization and subconscious feelings of inadequacies.

His death penalty sentence was upheld by the courts.
It is unknown if the sentence has been carried out.