

Arresting suspect a calculated risk

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Authorities took a calculated risk in arresting Andre Rand for the kidnapping of Jennifer Schweiger, the 12-year-old Down's syndrome girl who disappeared July 9 near her home in Westerleigh.

Criminal defense lawyers speculated that authorities hoped to generate activity in a case that appeared to be going nowhere. Authorities probably hoped that Rand might be shocked into making a statement upon arrest, or that a heretofore reluctant witness, knowing that Rand is now in custody, would step forward.

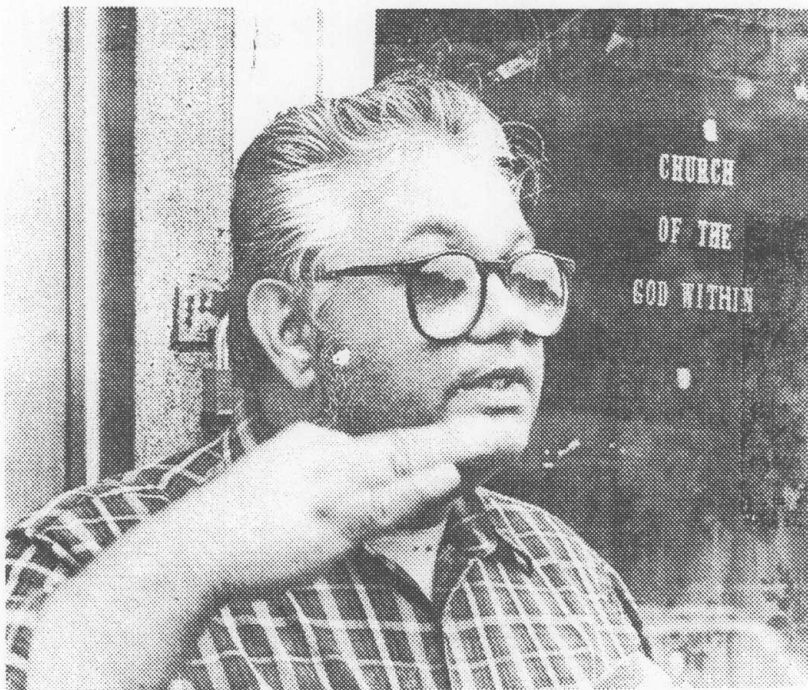
One fact is perfectly clear: By

arresting Rand, authorities have cut themselves off from any further questioning of the man unless it is with the consent of the 43-year-old transient's lawyer, and this, under ordinary circumstances, appears unlikely.

As one defense lawyer said, the decision to arrest Rand was a gamble by authorities to break an impasse in the missing person case, and that no one can quarrel with the decision if authorities have a "prima facie" — minimum proof of possible guilt — case against Rand.

The district attorney's office also bought additional time before the case goes to a grand jury

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ADVANCE PHOTO/FRANK J. JOHNS

The Rev. Charles G. Muskett tells an Advance reporter how, at the request of police, he allowed Andre Rand into his home.