



ADVANCE SKETCH/TOM FLANNAGAN

Andre Rand, second from right, stands in silence as his attorney, Jerome V. Giovinazzo, second from left, addresses Justice Norman J. Felig. Depicted at far left in drawing is Assistant District Attorney John Loughrey.

formation on how death occurred.

Giovinazzo said the prosecution's case appeared to be built largely on the observations of witnesses who said they saw Rand walking with the girl on July 9 from near her home to the grounds of the developmental center, more than a mile away.

"Assuming" that Rand had been with her, Giovinazzo said there was, to his knowledge, no evidence that his client intended to harm her. According to his information, Giovinazzo said the two were "holding hands" and

"smiling."

At the time of the girl's disappearance, Giovinazzo said there was at least one building at the developmental center that still housed "mentally defective" persons. He suggested that perhaps one of them may have been responsible for the girl's death.

"We don't know," Giovinazzo said, how Jennifer Schweiger met her death. "Nobody knows. The evidence doesn't point to whether (Rand) is the killer or the kidnaper."

Giovinazzo said he believes that

the people of Staten Island and District Attorney William L. Murphy and his staff are fair-minded, but under the circumstances, because of the case's publicity, he called on the district attorney's office to consent to have the case moved to another borough.

Loughrey rejected the proposal. In replying to the defense attorney's argument, Loughrey relied on what his simply stated view that the grand jury in voting the indictment based its decision on "legally sufficient" and "competent" evidence.



ADVANCE PHOTO/TONY CARANNANTE

Karen Schweiger, mother of Jennifer Schweiger, walks outside Supreme Court in St. George.



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Jennifer Schweiger's father, Kenneth, is interviewed by a television crew.