

Rand fears attack, won't go to court

BY ADVANCE STAFF WRITER

Andre Rand, accused of murdering 12-year-old Jennifer Schweiger, refused to appear in the Supreme Court yesterday because he feared physical attacks from other inmates, his attorney said.

Justice Norman J. Felig said that Rand cannot "arbitrarily decide when he wants to come to court" and authorized the city Correction Department to use "reasonable force," if necessary, to ensure Rand's presence in court Jan. 11 in connection with pre-trial motions.

Meanwhile, the judge advised Rand's court-assigned lawyer, Jerome V. Giovinazzo, he will confer with an administrative judge in an effort to provide Rand with more protection.

Giovinazzo indicated that Rand's problems aren't at Rikers Island, where he receives special protection. Rather his problem is when he comes into contact with other inmates while being transported to and from court in Correction Department vans, Giovinazzo said.

"He's notorious — they don't like him," the lawyer said.

Giovinazzo said other inmates spit at his client and assault him, including firing paper clips at him with rubber bands. "He's afraid of

Supreme Court

being blinded," Giovinazzo said.

On Sept. 16, the lawyer noted, Rand appeared with a bloody face in court after he said he had been assaulted by eight inmates at Rikers Island. Giovinazzo said the Correction Department has informed him that it is investigating that and other alleged incidents involving Rand.

Rand, a 43-year-old drifter, is also accused of kidnapping the girl, who had Down's syndrome. She was last seen alive July 9 as she walked with Rand near her home in Westerleigh. Her body was discovered Aug. 12 in a shallow grave on the grounds of the former Staten Island Developmental Center, Willowbrook, a short distance from where authorities said Rand had a campsite.



ADVANCE PHOTO/FRANK J. JOHNS

Andre Rand's lawyer, Jerome V. Giovinazzo, left, and Assistant District Attorney John Loughlin confer with Supreme Court Justice Norman J. Felig.