

# Drifter's defense

## With S.I. girl, didn't kill her

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The attorney for a drifter accused of killing a Down syndrome girl on Staten Island last year admitted yesterday that his client had been with the girl on the day she vanished but denied that he had killed her.

Jerome Giovinazzo said at the opening of Andre Rand's kidnap-murder trial in Staten Island Supreme Court that he will produce two witnesses, one to testify he saw victim Jennifer Schweiger with a man other than Rand and another to swear she saw Jennifer alone.

Both occasions were later than the time a state's witness will put Rand with the victim, Giovinazzo said.

The trial's opening was also marked by dramatic,

tear-filled testimony from the slain youngster's mother, Karen, on the day the victim would have turned 14.

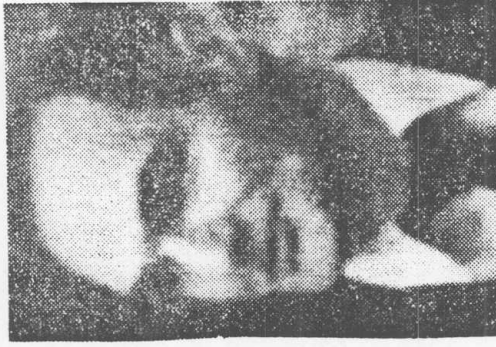
She looked at the toothless 43-year-old Rand only when asked by the prosecutor, Assistant District Attorney John Loughrey, whether she knew the defendant and had ever given him permission to take the child. She gave a resounding "No" to each query, a contrast to her soft, tearful testimony.

Jennifer, then 12, left her home in the Westerleigh section at 1:45 p.m. July 9, 1987, saying, "I'm going out for a little while, call me when the pool is ready," her mother said. Jennifer's body was found in a shallow grave on the grounds of the former Staten Island Developmental Center, Willowbrook, near a site where police said Rand

had maintained a campsite. Giovinazzo said Rand saw Jennifer and thought she was lost, that she had wandered away from the developmental center. He was taking her to the administration building but they became separated before they reached it, the lawyer said. He did not elaborate.

Loughrey said a neighborhood boy, David Sheehy, will testify he saw Jennifer about 2 p.m. that July 9 day followed by an older man pushing a bicycle. The prosecutor said that Detective Robert Jensen will testify that he recognized Sheehy's description as that of Rand because Jensen knew him from using a local supermarket and he recognized Rand's bicycle.

Giovinazzo said a man who knows Rand will testify that he saw Jennifer with another



Andre Rand

man between 4:15 p.m. and 4:30 p.m. near Bradley Ave., not far from the Staten Island Expressway.

His female witness, said the lawyer, will swear that she saw Jennifer walking alone near Victory Blvd. and Mountainview Ave. between 7 p.m. and 6 p.m. that day.