

Rand admits meeting Jennifer

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The Andre Rand kidnap-murder trial opened yesterday in the Supreme Court with the defense admitting for the first time that Rand and 12-year-old Jennifer Schweiger were together on the afternoon of July 9, 1987, the day she vanished from near her home in Westerleigh.

But Rand's lawyer insisted that the 44-year-old drifter was only attempting to do a good deed by returning the girl to the former Staten Island Developmental Center in Willowbrook after the two had met and he had assumed from her physical appearance that she was a resident and may have wandered away. The girl had Down's syndrome, commonly called Mongolism.

The lawyer, Jerome V. Giovinazzo, said the two became "separated" as they walked to the center's administration building, and his client never saw her again.

Rand was a former employee of the center where he maintained a crude campsite on the grounds. It was near the campsite that volunteer searchers — among hundreds

who carried out the largest search for a missing person in Staten Island's history, according to an assistant district attorney — found the girl's decomposed body in a shallow grave the following Aug. 12.

Rand is being tried on an indictment that charges kidnapping and murder. Each charge carries on conviction the identical maximum punishment — 25 years to life in prison.

Assistant District Attorney John Loughrey confirmed in his opening statement that there is no forensic evidence and that the prosecution's case of circumstantial evidence is anchored on the testimony of a group of seven witnesses who identified Rand as the man they saw walking hand-in-hand with Jennifer at about 2 or 3 p.m., beginning at a point near her home and proceeding along a route that took them onto the grounds of the developmental center.

Loughrey and Giovinazzo outlined their respective cases in opening remarks before Justice Norman J. Felig and a jury of eight men and four women.

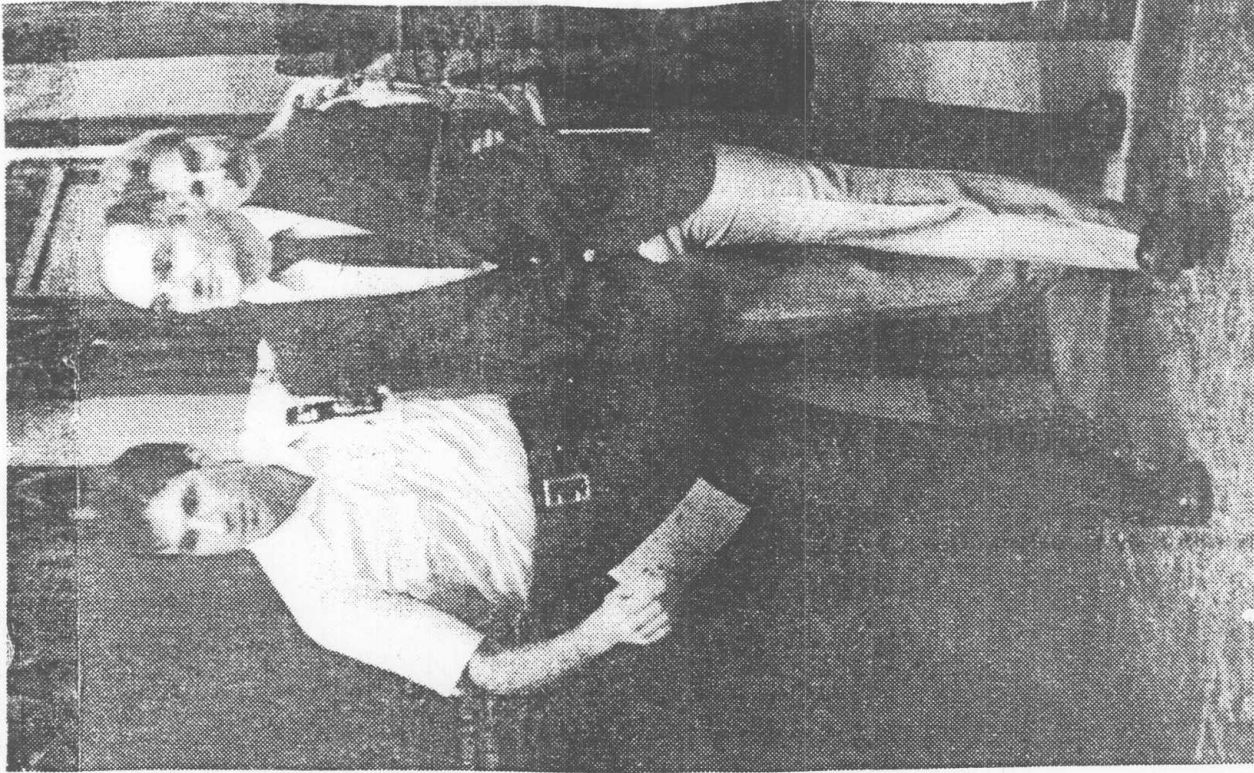
Giovinazzo offered no further

details about the separation. However, he said the defense plans to call two witnesses. One will testify he saw the girl walking with a man at 4:15 or 4:30 near the Bradley Avenue exit of the Staten Island Expressway in Meiers Corners, but the man was not Rand, whom the witness knew.

The other witness will testify she saw Jennifer walking alone at 5 or 6 p.m. on Victory Boulevard near Mountainview Avenue, also in Meiers Corners, the lawyer said.

Jennifer's mother, Karen, was among the first-day witnesses. The Schweiger family, which also includes her husband, Kenneth, and their 19-year-old son, also Kenneth, moved to New Jersey after the tragedy.

Mrs. Schweiger testified the last time she saw her daughter alive was about 1:45 p.m. when she left to go outdoors to play while Mrs. Schweiger filtered the family's back-yard swimming pool so that it could be used that day, a hot summer day. Jennifer's brown hair was in two pigtails that had been braided together. She wore



ADVANCE PHOTO/STEVE ZAFFAR

Andre Rand is escorted into Richmond County Supreme Court for the start of his murder-kidnap trial.

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shorts and a T-shirt with a Sesame Street logo.

When she could not locate her daughter at 3 p.m., Mrs. Schweiger drove around the block to which Jennifer's activities were normally confined. She searched in vain until she came upon a neighborhood newspaper delivery boy, David Sheehy, who knew Jennifer and told Mrs. Schweiger he had seen her earlier.

In his opening statement, Loughrey said Sheehy told police that he seen Jennifer walking about 25 feet behind an older man on Markham Place, near the Schweiger home. Sheehy said the man, whom he assumed was Jennifer's grandfather, was pushing a bicycle. The assistant district attorney said the bicycle will figure in testimony throughout the trial.

Sheehy also provided police with a description of the man. A

detective who worked part-time in a Port Richmond supermarket believed the description matched that of Rand, with whom he was familiar from the store, Loughrey said.

Mrs. Schweiger's voice was often inaudible and frequently cracked as she once again went through the ordeal of living that tragic day.

A neighbor to whom Mrs. Schweiger expressed her concerns called police at 4 p.m. Police arrived a short time later and within an hour Sgt. Joseph Monahan, another witness yesterday, ordered a command post to be set up in the Schweiger home from which to coordinate a search for the missing girl. The command post closed at 10 p.m., but the search resumed the following day, by which time many civilians already were engaged in searching the Island on their own, Monahan said.

Mrs. Schweiger described her daughter as "very loving" and "affectionate," even with strangers. "She liked to hug a lot," the mother recalled.

Jennifer had graduated the month before from PS 22, Forest Avenue, Graniteville, where she had been in a special education class, and was looking forward to junior high school, her mother said. She took dancing classes.

"She enjoyed all the things that all children enjoyed," Mrs. Schweiger said. She said she had tried to train her daughter to be as self-sufficient as possible so she could "lead as full a life as possible."

Under questioning by Loughrey,

Mrs. Schweiger said Down's syndrome is marked by mental retardation and often by a congenital heart defect, among other symptoms. She was slow of speech and had the mentality of a 7-year-old, Mrs. Schweiger said.

Police Officers Kathleen Wainwright and Laurie Albino told how "upset" they found Mrs. Schweiger when they arrived at the Schweiger home. They also recounted their roles in the initial search. Officer Gunther Schayer also testified.

Rand was dressed in a dark brown sport jacket, matching striped shirt and trousers and a maroon tie. He appeared to have had a recent haircut. The defendant, who has rugged, almost Lincoln-esque features, appeared emotionless during the courtroom proceedings and often occupied himself making notes.

Loughrey said that the day after Jennifer disappeared state police produced a bloodhound to aid in the search. He said the dog followed the girl's scent from the Schweiger home on Wardwell Avenue, along Willowbrook Road

and other streets to a weeded path in the rear of the developmental center. The dog at that point collapsed of heat exhaustion. The next day the dog followed the scent onto the grounds of the center where the scent died.

Through the description provided by Sheehy, the neighborhood newspaper boy, Loughrey said detectives contacted Rand on July 10. He appeared in a police lineup that day, but four witnesses failed to identify him. However, other witnesses later identified him in a subsequent lineup.

When detectives questioned Rand on July 10, Loughrey said Rand gave an alibi for his whereabouts the day before, including having lunch at the Salvation Army building in Port Richmond and going to Bayonne via the Bayonne Bridge. On Aug. 4, Rand accompanied detectives as they retraced his steps on July 9. Police could not find anyone to confirm the alibi. Rand was arrested that same day on a kidnapping charge. The body was not to be found until eight days later.

The trial will resume today.