

# Witnesses trace Jennifer's walk

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ADVANCE STAFF WRITER

A teen-age former neighbor of 12-year-old Jennifer Schweiger testified yesterday he saw her walking 10 feet behind an "older man" about a block from her home in Westerleigh on the afternoon of July 9, 1987.

But under cross-examination by an attorney for Andre Rand, the 44-year-old drifter charged with the girl's kidnap-murder, the witness, David Sheehy, 15, admitted he could not be sure that the man was actually walking with Jennifer.

Sheehy was one of seven prosecution witnesses to testify at the second day of Rand's Supreme Court trial. The case is before Justice Norman J. Felig and a jury.

Sheehy, on a bicycle, said he saw Jennifer and the man who he thought might have been her grandfather walking toward Jewett Avenue about 2 or 2:30 p.m. on Markham Place at Deems Avenue. The man was walking a bicycle on the sidewalk, the youth said.

Sheehy is believed to have been the first of a number of prosecution witnesses who observed Jennifer walking with a man from near her home and continuing along different streets, with the last witnesses seeing them on the grounds of the Staten Island Developmental Center, Willowbrook.

Sheehy viewed the defendant in two police lineups, but in each instance he was unable to identify Rand as the man he saw with

Jennifer.

Jennifer's disappearance on July 9 sparked the largest search ever carried out on Staten Island for a missing person, with nearly 1,000 volunteers taking part. Her decomposed body was found Aug. 12 in a grave a short distance from a campsite that Rand maintained near Building 23 at the developmental center. Rand was a one-time employee of the center.

Police, acting on a description provided by Sheehy, questioned Rand at different times and had him under observation for almost a month before arresting him on a kidnaping charge Aug. 4.

Detective Robert Jensen testified that upon being furnished with a description of the man seen with Jennifer he believed it fit the

description of Rand, whom he knew from a part-time job he held at a New Springville supermarket. He also knew that Rand rode a bicycle.

Lt. Louis Fiori, commanding officer of the Crimes Against Property Squad, admitted that Rand, although not under arrest, remained 30 consecutive hours in the 120th Precinct stationhouse in St. George as police questioned him about the disappearance of Jennifer three days earlier.

Fiori and other detectives told Rand on at least three occasions he was free to leave, but he chose to remain, sleeping overnight on the floor of the interview room in the squad office, the detectives said.

Defense attorney Jerome V.

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# Trial—

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Giovinazzo, in cross-examining Fiori, got him to admit it was not usual for police to permit "vagabonds" to remain in the stationhouse for that long a period.

Fiori said Rand did not answer him when he told him he could leave the stationhouse. "He ignored me," Fiori said.

Earlier, Detective Ralph Aquino testified Rand refused to tell him the location of his campsite at the center. Rand had been brought into the stationhouse for questioning on the afternoon of July 12 after having been questioned earlier.

Aquino said detectives had advised Rand of the nature of the inquiry, the disappearance of the girl, who had Down's syndrome. Aquino said that when he looked in on Rand in the interview room about 10 or 11 p.m. the defendant was lying on the floor, crying, his hands in a praying position. He refused to say anything, his eyes fixed on the wall.

Fiori, Aquino and other police witnesses related the steps police took after Jennifer was reported missing at 4 p.m. on July 9.

Sgt. William Bradley, also a witness, said the missing person case was given a "top priority" when officers of the 120th Precinct were sent out on patrol at midnight on July 9. Police previously had established a command post in the home of Jennifer's parents, and the following day the command post was shifted to a firehouse in Westerleigh.

Fiori said that all except four of the 24 detectives assigned to his squad were assigned to the case during the first days. The crimes against property squad has responsibility for missing person cases.

Aquino, now retired but assigned to the property squad at the time, said he first spoke to Rand on July 10 after having spoken to Jensen, the detective who recognized the defendant from having seen him in the supermarket.

Aquino said Rand readily agreed to cooperate when asked to accompany him and other detectives to the stationhouse for questioning. Rand had his green bicycle with him, the detective said.

On July 9, Rand told detectives he had gone to a supermarket on Bay Street and a bicycle shop on Jewett Avenue at noon before having lunch at the Salvation Army building in Port Richmond. Afterwards he said he went to a Burger King restaurant in Port Richmond Center and then rode his bicycle to Bayonne where he went to a supermarket, a laundromat and a restaurant.

He was permitted to leave the stationhouse after agreeing to meet detectives the next day at a bicycle shop, Aquino said. He never kept the appointment.

Aquino said they found Rand on July 12 leaving a cemetery in Graniteville where he said he had spent the night. He said he had failed to keep the appointment because he had lost Aquino's business card. He also said he had sold his bicycle because he needed cash.

Aquino said the defendant once again agreed to accompany him back to the 120th Precinct stationhouse for further questioning about his whereabouts on July 9.

At this time Aquino said he received a message from a relative of the Schweiger family who led him to what turned out to be Rand's campsite at Willowbrook, hidden in densely wooded area. Aquino said it had various refinements, including a bunk bed, a latrine and even an early warning alarm system.

On returning to the stationhouse, Rand refused to talk to him about the campsite, Aquino testified. On the following day, July 13, Aquino said he resumed questioning Rand about the campsite. This time the detective said Rand told him that police already knew its location, saying: "That's my pail outside."

Aquino said Rand referred to a plastic pail that another detective, unknown to him, had removed from a campsite he had come upon on the center grounds, not knowing it was Rand's. Clothing also had been removed from the site.

Rand finally agreed to show Aquino the campsite only after detective agreed to return the pail and clothing, the detective said.



His hands manacled, Andre Rand is led from a police bus.

Aquino said he left Rand that night at the home of a West Brighton clergyman from whom Rand said he wanted to rent an apartment.

Two physicians testified about Down's syndrome and its complications.

Dr. Maria Colombi, a pediatrician-cardiologist, testified she had treated Jennifer in September 1985 at Deborah Hospital in Brown Mills, N.J., which specializes in cardiology and treating pulmonary disease.

She diagnosed Jennifer as having a heart defect, a genetic dys-

function common in persons with Down's syndrome. She found that Jennifer was not a suitable candidate for corrective surgery.

Dr. Colombi said Jennifer had a life expectancy of 10 to 20 years, about one half of the average life expectancy of persons with Down's syndrome.

Dr. Joseph French, an expert on Down's syndrome, said one of the characteristics of the disability is that such persons have a trusting nature that is "out of proportion" to other persons.

The trial will resume Tuesday.



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Judge Norman Felig listens as Andre Rand's lawyer, Jerome V. Giovinazzo, questions police Lt. Louis Fiori, seated on the witness stand with his arms folded. A court reporter at right records the exchange.

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ADVANCE PHOTO/FRANK J. JOHNS  
Andre Rand, on trial for the 1987 kidnap-murder of 12-year-old Jennifer Schweiger, confers with his lawyer, Jerome V. Giovinazzo.

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**Detective Ralph Aquino**  
Saw Rand on floor



**Detective Robert Jensen**  
Recognized Rand

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**Dr. Joseph French**  
Jennifer was trusting



**Dr. Maria Colombi**  
Treated Jennifer

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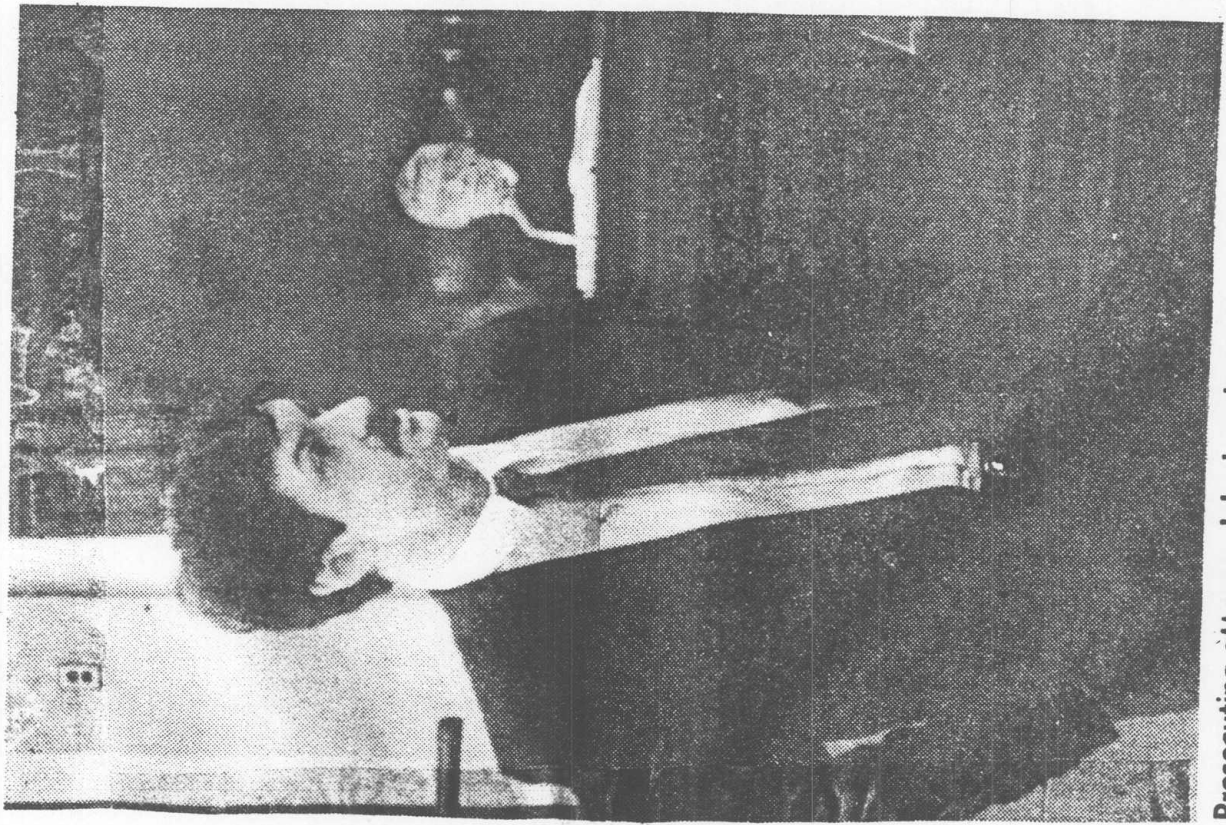
# The cast of characters



Judge Norman Felig presides.

ADVANCE PHOTOS/STEVE ZAFFARANO





Prosecuting attorney John Loughrey



Karen Schweiger, Jennifer's mother



Defendant Andre Rand



Defense attorney Jerome V. Giovinazzo