

# Lawyers fight for change of trial site

By ALICE COLLINS

Attorneys for the two men accused of kidnapping 13-year-old Timothy Stempel will present arguments Friday (Dec. 26) before Oakland County Circuit Court Judge John N. O'Brien to have the trial moved out of the Oakland County area.

Court-appointed defense attorney Curtis Rundell of Southfield said the basis of his motion for a change of venue is "the saturation of publicity that surrounded the Nov. 10 abduction

of the West Bloomfield youth, and the "massive kidnapping fear that has permeated Oakland County ever since the disappearance six months ago of James R. Hoffa."

Rundell said he will also argue that the defendants, both black, would be unable to have a "jury of their peers" with a panel selected in "white, high-income, middle-class Oakland County."

Darrell E. Wilson, 22, and Clinton Williams, 19, stood mute at their arraignment Thursday afternoon before

Judge O'Brien and pleas of not guilty were entered for them. The men have been in jail since their arrest Nov. 14.

THE JUDGE denied a motion to have the \$100,000 cash and surety bond against each defendant lowered to \$10,000 until he has time to study the transcript of the pair's earlier preliminary hearing on the kidnap charges in 14th District Court in Bloomfield Township.

District Judge Carl F. Ingraham set the bonds on Nov. 20 when Wilson and Williams were arraigned in district court. At the preliminary hearing that followed, Judge Ingraham bound the two over to the Oakland County Circuit Court and continued the bonds in the same amount.

Rundell, appointed to defend Wilson, also represented Williams at Thursday's appearance.

"Although that big life imprisonment looms as the possible maximum sentence if the pair were convicted of kidnapping," said Rundell, "in setting bond we should also consider it could be the minimum of probation as well."

"WILSON COMES from a well-established family in this area," declared Rundell. "If the bond were reduced so that they could raise the money, he'd be living with them." Rundell said the same was true for Williams.

Judge O'Brien said he would study the transcript of the earlier hearing before the Dec. 26 proceedings and might reconsider the motion to have the bonds lowered at that time.

Williams of Troy, was not in court Thursday "because of pressing matters elsewhere," Rundell said.

The sounds of children filled the courtroom, as the young sisters and nieces of the defendants attended with several adult members of their families.

Wilson and Williams said nothing during the 15-minute proceedings. They sat, without handcuffs, flanked by two Oakland County deputy sheriffs and stared at the judge. Occasionally they glanced at members of their families.

ASSISTANT PROSECUTING ATTORNEY Frank Mandelbaum appeared for the state at the arraignment and announced that Oakland County Prosecutor L. Brooks Patterson will handle the case.

The victim of the two-day kidnap ordeal was not present at Thursday's arraignment and no testimony was taken.

Timothy is a son of General Motors executive Robert C. Stempel and his wife, Patricia.

Timothy was released shortly before midnight Nov. 12 at the Wayne County Hospital Complex, after the ransom had been delivered. The youth spent the entire time in the trunk of the kidnappers' car and was fed only a mustard sandwich during his captivity.

Wilson and Williams were arrested by FBI agents and Bloomfield Township Police 1½ days after the ransom was paid and Timothy released.

The pair was originally charged with violating the Hobbs Act—a federal law against extortion that interferes with interstate commerce.

After a delay of several days and reports of conflicts between federal and local authorities, it was agreed that the state should prosecute the case on kidnapping charges—the state penalties are more severe.

Timothy testified at the earlier district court preliminary hearing against Williams and Wilson and identified them as the two who abducted him.

FOLLOWING THURSDAY'S arraignment, Attorney Rundell said he and attorney Brown will seek to have the trial moved to Grand Rapids or Genesee County "so we'll have a shot at getting them a jury with enough blacks to make it a jury of their peers."

Detroit would be ideal for the trial in this respect, Rundell said, but the "saturation of publicity" would rule it out.

Wilson's sister, Rhonda Atkins of Ann Arbor, was interviewed outside the courtroom. She said the family was hoping to have the trial moved out of Oakland County.

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