

YOU ARE HERE: LAT Home → Collections → Trials

Advertisement

The Nation

Judge Changes Sniper Trial Venue

Lee Boyd Malvo will be tried 200 miles south of the Washington-area suburb where he is accused of killing an FBI analyst in October.

July 03, 2003 | Stephen Braun | Times Staff Writer

Email

Share

 0

 0

 0

WASHINGTON — Citing concerns that pretrial publicity would make it impossible to select an impartial jury, a Virginia judge Wednesday ordered the Washington-area serial sniper murder trial of Lee Boyd Malvo moved 200 miles south of the capital suburbs.

Fairfax County Circuit Judge Jane Marum Roush ruled that Malvo's trial, scheduled to start in November, would take place in Chesapeake, Va., a city of 200,000 bordering Norfolk and about 20 miles north of the North Carolina line. Roush ordered the move despite concerns by Chesapeake officials that the trial would create security and logistical chaos.

In a four-page order, Roush said she felt the trial "should be transferred to a jurisdiction outside of the Washington/Richmond corridor, where many citizens lived in fear last October as a result of the crimes with which the defendant is charged."

Malvo, 18, faces murder charges in the death of Linda Franklin, 47, an FBI analyst gunned down Oct. 14 in a Fairfax County garage. His companion, John Allen Muhammad, 42, is charged with the Oct. 9, 2002, slaying of Dean H. Meyers. Muhammad has also pressed for a change of venue from Prince William County, Va., where his murder trial is slated for later in the year.

FROM THE ARCHIVES

Search continues as hope dwindles

November 11, 2008

MORE STORIES ABOUT

[Trials](#)

[Court Rulings](#)

[Serial Murders](#)

[Change Of Venue](#)

Law enforcement investigators have linked Malvo and Muhammad to the spree of 13 high-powered rifle slayings in the Washington area in October and to at least four other deaths among a string of shootings and robberies that stretched from Atlanta to Washington state.

Michael S. Arif, a Virginia lawyer who heads a team of defense attorneys representing Malvo, said Wednesday that he was "pleased" with Roush's ruling, saying "Chesapeake will provide an intelligent, unbiased jury pool."

Arif had argued that extensive coverage of the slayings -- particularly accounts of Malvo's alleged confessions to Fairfax County police -- compromised the state's ability to provide an impartial jury. In a hearing last month, he also argued that a move by Fairfax County prosecutors to charge Malvo under a new Virginia terrorism statute also tainted the jury pool by making "all of Fairfax County intended victims of the crime."

A dejected Fairfax County Commonwealth Atty. Robert F. Horan Jr. said Wednesday that he was "pretty surprised" by Roush's decision. Horan said he had hoped "we'd be able to get the evidence before an impartial Fairfax County jury."

Horan warned that the move to Chesapeake will be "a logistical nightmare." He said the cost of prosecuting the case would soar. "You're talking about taking every witness from the Washington area on both sides of the Potomac River and putting them up in hotels in Chesapeake," he said.

Horan said prosecutors would now have to contend with the long-distance haul of transferring evidence between Fairfax and the northern Virginia town of Manassas -- where Prince William County prosecutors are mounting the murder case against Muhammad -- to Chesapeake.

Chesapeake officials also complained to Roush. The judge acknowledged that Chesapeake Mayor William E. Ward and council members had written to her, complaining about the cost of security arrangements and the possible disruption caused to city employees and residents transacting "business at the municipal complex" near the courthouse.

But even though she found those fears "not unjustified," Roush concluded that it was her "best judgment" to transfer the Malvo trial to Chesapeake.

"We've never had a case of this magnitude and prominence before," Ward said in an interview. "We have to do some serious planning and preparation."

The mayor said he will work with local law enforcement, the city manager and Roush to ensure that the trial goes smoothly. "It will take some coordination, but we will be prepared," he said.

Ward supports the national exposure Chesapeake will receive because of the trial, but is wary of public reaction.

"You don't know what kind of issues and circumstances a trial of this nature may conjure up, create, stir up in terms of emotions," he said.

Some Chesapeake City Council members welcome the upcoming trial.

"Part of the American way of having justice served is making sure people can have fair trials," said Councilman Joe Newman. "I'm very pleased it moved here."

Newman said he feels the city can handle the security concerns.

The city recently built a new jail, including an underground tunnel from the jail to the courthouse, Newman said, so "security will be very complete."

*

Times staff writer Susannah Rosenblatt contributed to this report.

Email

Share

 0

 0

 0

FEATURED



David Goldberg, SurveyMonkey CEO and husband of Sheryl Sandberg



How not to say the wrong thing



Gang tattoo leads to a murder conviction

MORE:

Seizure Led to FloJo's Death

His 104 scores make his case

Brutal Murder by Teen-Age Girls Adds to Britons' Shock

Last Viewed by First Circuit Library on 05/08/2015