



## Legal expert: Defendants in high profile cases like Flint serial stabber have difficulty receiving fair trial

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David Harris | Flint Journal

 Suspected serial stabber Elias Abuelazam arraigned

Ryan Garza | The Flint Journal

Defense attorneys Edward Zeineh and Brian Morley (right) talk before the start of the arraignment of their client suspected serial stabber Elias Abuelazam in Judge Nathaniel Perry III's court on Thursday.

*Staff writer Laura Misjak contributed to this report.*

**FLINT, Michigan** — It could be hard for **suspected serial stabber Elias Abuelazam** to receive a fair trial in Genesee County, a legal expert said.

Amy Posey, associate professor of psychology at Benedictine College outside of Kansas City, Mo. and author of the 2002 journal article *Beyond Pretrial Publicity: Legal and Ethical Issues Associated with Change of Venue Surveys*, said it's hard for the defendants to receive a fair trial in areas that have been saturated with media exposure.

"It's unusual to get a change of venue, but when you do have high profile cases that increases the likelihood," Posey said. "With all the media attention, it becomes increasingly difficult to find venues that hasn't been saturated."

One of Abuelazam's attorneys, Brian Morley, said asking for a change of venue is in the back of his mind, but for now he is concerned about gathering the information needed to defend his client. Genesee County Prosecutor David Leyton said it's too early to discuss a change of venue.

"That's a long way down the road," Leyton said.

Posey said the defense will likely hire a social scientist to survey potential jurors on whether they have their minds already made up that Abuelazam is guilty. If that is the case, they will likely move to get the trial out of Genesee County. The defense will try to find a county with a similar demographic with residents who have not been exposed to the same amount of attention. It can be difficult even to find a jury in the entire state that hasn't been saturated by media coverage, Posey said.

"If that's the case, then you do start to have some concerns if he can have a fair trial," she said.

Leyton said he believes it's important for the trial to be here.

"I want him to stand trial in Genesee County where he wreaked havoc and ran rampant," he said.

Abuelazam, who was extradited from Georgia to Michigan on Thursday and turns 34 Sunday, is locked down 23 hours a day in solitary confinement in the Genesee County Jail facing an assault with intent to murder charge and is suspected of stabbing 13 others, including five who died. He also is suspected in four attacks in Ohio and Virginia.

Genesee County Sheriff Robert Pickell said **Abuelazam has been well-behaved in jail** and underwent a psychiatric evaluation Friday. Pickell wouldn't divulge any details other than to say doctors did not have immediate concerns of Abuelazam's health. Pickell said the Abuelazam's first night in jail was uneventful. The suspect was "exhausted," he said.

A question that remains to be seen is how authorities in Virginia will proceed. Genesee County Prosecutor David Leyton said Friday **he talked with his counterpart in Loudoun County, Va.** about the case against suspected serial killer Elias Abuelazam.

The conversation came after published media reports said that Jim Plowman, the Commonwealth's attorney, criticized Leyton for not returning phone calls.

Leyton said the two had a good conversation.

"We are on the same page," Leyton said. "He's supportive of our prosecution. He offered to help me in anyway he can and I said we would help them."

Plowman could not be reached for comment.

Leyton said he would be receptive if Virginia authorities wanted to prosecute Abuelazam as well.

While Michigan does not have the death penalty, Virginia does. But in order for death penalty to be enacted, a person must be convicted of two capital crimes, Leyton said.

For Abuelazam to face the death penalty, he must first be convicted of murder in Michigan, and then be convicted of the same charge in Virginia, Leyton said. So far, no charges have been filed in Virginia.

The three victims of Abuelazam's Virginia attacks all survived, however police are investigating whether a 2009 stabbing death of 44-year-old Jammie Lane could be connected to Abuelazam.

"None of our victims were murdered — that's going to be the key element there," said Leesburg Police Officer Chris Jones.

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