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Judge rejects request to move courthouse killing trial

The Associated Press

Published February 10, 2004

MINNEAPOLIS - A judge rejected a request to move the trial of a woman charged with killing her cousin in the Hennepin County Government Center to another county Monday.

Attorneys for Susan R. Berkovitz, 53, argued that news reports have been so inflammatory and incendiary that the potential jury pool had been poisoned.

Daniel Homstad cited Twin Cities newspaper reports from Jan. 27 about a tape on which Berkovitz talked about preparing for the shooting. The defense is seeking to have that information suppressed, he said.

Berkovitz is charged with first-degree murder in the death of Shelley Joseph-Kordell, 56, of Minnetonka, on Sept. 29. She also is charged with attempted first-degree murder in the wounding of Joseph-Kordell's attorney, Richard Hendrickson, 53, of Crystal.

Berkovitz was upset about Joseph-Kordell's handling of Berkovitz's father estate and they were in the courthouse for a hearing the day of the shootings.

Judge Thorwald Anderson said the press had accurately reported what happened in the courtroom on Jan. 26 when the tape of Berkovitz talking to a deputy was played. The publicity cited was not inflammatory or incendiary, the judge ruled.

Homstad argued that the case is unlike any other because the shootings happened in the courthouse. He wanted the case moved to Red Wing, Faribault or Owatonna, which have their own daily newspapers, saying it would be unlikely that potential jurors there had read the Twin Cities newspaper reports.

The judge left the door open to moving the trial later if it becomes apparent during jury selection that an impartial panel can't be found in Hennepin County.

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