

JUDGE'S SON GETS PRISON IN KILLING

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The son of Chief Detroit Recorder's Court Judge Samuel Gardner was sentenced Thursday to five to 17 years in prison for shooting a 21-year-old Detroit man to death outside a Southfield bar last year.

Randy Gardner, 31, of Detroit, received a 3-to-15-year sentence for involuntary manslaughter and an additional two years, to be served consecutively, for use of a firearm while committing a felony.

Oakland County Circuit Judge Richard Kuhn could have sentenced Gardner to probation for the manslaughter charge.

Defense attorney Elbert Hatchett made a fiery, last-minute appeal against a prison term.

Citing Gardner's clean record, family background and academic record -- degrees in economics and law -- Hatchett said, "I submit that if it is not possible for Randy Gardner to receive probation, then (it should not be) possible for any defendant to receive probation for any form of homicide. . . ."

A DOZEN of Gardner's relatives, including his mother, were in the courtroom for the sentencing. His father was not present.

Assistant prosecutor James Mitchell reminded Kuhn that Gardner was "working at a topless bar as a bouncer," carrying an unregistered handgun and that his victim was "beaten senseless by Mr. Gardner."

Kuhn said he compared the "tragic" case to "one we've seen in our sister county," the Vincent Chin trial, in which citizens protested a probation sentence given in the slaying of a man outside a Highland Park bar.

"I think the citizens of our state have gotten to the point where they do not want us to rule lightly on barroom fights and in situations where alcohol is involved . . .," he said. "If the Legislature wants to make sentencing guidelines tougher, I'm here to follow through on that."

Outside the courtroom, Hatchett told Gardner's relatives that the sentence was "obviously unfair" and said the case would be appealed.

Gardner was convicted of shooting Kevin Fields, 21, of Detroit, in the chest outside the Perfect Blend in Southfield in an argument over Fields' female companion.

Gardner could be released after two years in prison, said Mitchell, because of prison credits for good behavior and because of overcrowding.

Caption: Photo

Memo: SHORTER VERSION IN METRO FINAL EDITION;

CORRECTION RAN July 5, 1984

getting it straight

Randy Gardner, son of Chief Detroit Recorder's Court Judge Samuel Gardner, was sentenced Tuesday to five to 17 years in prison for shooting a 21-year-old Detroit man to death outside a Southfield bar last year. The day of his sentencing was given incorrectly in Wednesday's Free Press.

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