

SLAYING SUSPECT GOT BREAKS BUT THIS TIME THE CHARGE IS KILLING A COP

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The man who police say killed Detroit Police Officer Neil Wells at a west-side drug house Wednesday **got breaks** from judges after a 1995 carjacking and again after a 1999 home invasion, records show.

Lamont Smith, 21, was charged Thursday with first-degree murder, premeditated murder and committing a felony with a firearm. He **is** expected to be arraigned today in Detroit's 36th District Court. Police have two other men, ages 19 and 28, in custody in connection with **the** ambush-style shooting of Wells. **But** it's not clear whether they are **suspects** or reluctant witnesses; they have not been charged.

Six years ago, in what was then known **as** Detroit Recorder's Court, a judge gave Smith a **break**, handing down a juvenile sentence in a carjacking case, rather than **time** in an adult prison, according to court records.

At **the time**, Smith was 16. **But the** circumstances were so serious that **the** Wayne County Prosecutor's Office charged him **as** an adult with carjacking, assault with intent to murder, felonious assault, committing a felony with a firearm and armed robbery.

After reviewing reports that described Smith's marginal upbringing with little help from drug-addicted parents, Recorder's Court Judge Robert Evans sent Smith to **the** W.J. Maxey Training School for two years, followed by treatment in less-secure programs. While under **the** state's watch, he walked away from one program and was arrested for home invasion in March 1996, records show.

He finally was released from supervision of **the** juvenile system in February 1998.

In 1999, Smith was charged with two counts of home invasion, felonious assault, and assault and battery. He was sentenced by Wayne County Circuit Judge Thomas Jackson to probation, according to court records. Jackson couldn't immediately be reached for comment Thursday.

Evans said he vaguely remembers Smith, **but** said he made **the** right decision in 1995.

"Even **the** most experienced judge in **the** state might have made **the** same decision **as** me," Evans said. "I am **the** most experienced judge in **the** state, by **the** way."

Detroit police said they want prosecutors **this time** to consider federal **charges** that would make Smith eligible to receive **the** death penalty.

Wells, 41, worked in **the** 12th (Palmer Park) Precinct. Although he wore **a** bulletproof vest, one bullet, fired from an AK47 assault rifle, penetrated **the** vest and pierced his heart. He also was shot in **the** side.

Police said Wells and three other plainclothes officers were patrolling **the** area when they heard gunshots around 8:30 p.m. coming from an apartment building known for drug activity. They were not responding to **a** citizen's call, **as** police had said originally.

The officers saw two men run inside **the** building. When **the** officers tried to enter, **the** men slammed **a** steel door.

As the officers turned to walk away, police said, Smith opened **the** door and began firing.

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Caption: Photo; Drawing Knight Ridder Tribune

Neil Wells, **the** slain Detroit police officer, had **a** strong sense of duty and an outrageous sense of humor, his friends say. STORY, 6A.

DRAWING OF AK47:

ASSUALT GUN
AK47

Length: 2 feet, 10 inches
Weight: 7 lbs.

PERFORMANCE

Full load: 50 rounds
Shots per second: 11
Reload **time** : 4 seconds

Drawing shows actual size of bullet

Memo: SEE RELATED STORY, PAGE 6A

Edition: METRO FINAL

Section: NWS

Page: 1A

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