

STATE OF NEW YORK,
COUNTY OF WESTCHESTER, } ss.:
CITY OF YONKERS,

Inventory of property, taken by the undersigned, under and pursuant to the annexed warrant,
made publicly and in the presence of _____

from whose possession it was taken and of _____
the applicant for the warrant.

DET EDWARD ~~2160~~ CERTIFIES THAT
THE ATTACHED VOUCHERS NUMBERED A 083 987, A 083 988,
A 083 989, A 083 990, A 083 991 AND A 083 992, AND
A 153 142, A 153 143, A 153 145, A 153 146, A 153 147 AND
A 153 148 COPIES OF WHICH ARE ATTACHED HERETO

Dated at the City of Yonkers this 15TH day of AUGUST, 19 77

EDWARD 2160

I, EDWARD 2160, the officer by whom the annexed warrant was executed, do swear that the above inventory contains a true and detailed account of all property taken by me on the warrant.

Det. Edward 2160

City Judge, City of Yonkers, New York

Subscribed and sworn before me this
15TH day of AUG, 19 77

YONKERS COURT OF
SPECIAL SESSIONS

The People, &c., on the information of

vs.

Search Warrant

Dated this _____ day of _____, 19 _____

BEFORE THE

CITY JUDGE OF YONKERS

OFFICER'S RETURN
§ 805 CODE CRIM. PROC.

I, the undersigned, to whom this warrant was delivered for execution, do hereby certify that I did on the _____ day of _____, 19 _____ take the property therein described from _____

of _____
under and by virtue of this
WARRANT and an Inventory has been taken of this property which is hereto annexed.
Dated at the City of Yonkers, the _____ day _____, 19 _____

COURT OF SPECIAL SESSIONS
STATE OF NEW YORK,
COUNTY OF WESTCHESTER,
CITY OF YONKERS,

IN THE MATTER OF

THE APPLICANT FOR A SEARCH WARRANT FOR THE PERSONS OF:
DAVID R. BERKOWITZ

AND THE PREMISES:
35 Pine street Apartment 7E Yonkers, New York

AND VEHICLES: 1970 4dr Yellow Ford Sedan, New York Registration 561-XLB

IN THE NAME OF THE PEOPLE OF THE STATE OF NEW YORK

TO ANY PEACE OFFICER IN THE CITY OF YONKERS

Proof by affidavit having been made this date before me by Det. Edward Zigo
Shield No. 2419 of the New York City Police Department
~~of the Police Department, City of Yonkers~~, New York, that the

property hereinafter described

1. A long firearm of a type which is capable of being automatically fired
2. Ammunition for said firearm
3. .44 Calibre Revolver, "Bulldog" model
4. Ammunition for said revolver
5. Handwriting Samples
6. Fingerprints and palmprints

possession of which is a crime, which constitutes evidence of a crime, and which is used as the means of committing a crime will be found in a certain premises and on the person of certain individuals.

That there is probable cause for believing that said property is used and/or possessed in violation of Article Article 125 and Article 265f the Penal Law of the State of New York.

You are therefore commanded between the hours of 6:00 A. M. and 9:00 P. M. (or at any-time of the day or night) to make an immediate search of the persons of:

DAVID R. BERKOWITZ

and the premises:

and vehicles: 1970 Ford Sedan 4dr Yellow, Bearing New York Registration 561-XLB

for the following property:

1. A long firearm of a type which is capable of being automatically fired
2. Ammunition for said firearm
3. .44 Calibre Revolver "Bulldog" model
4. Ammunition for said revolver
5. Handwriting samples
6. Fingerprints and palmprints

and if you find same, bring it forthwith before me at the Court of Special Sessions, City of Yonkers, New York.

Sufficient proof having been given under oath the said property may be easily and quickly destroyed or disposed of, the executing peace officer is not required to give notice of his authority and purpose prior to executing this order.

Dated: City of Yonkers, New York

August 10, 1977

Judge, Court of Special Sessions
City of Yonkers, New York

- D. Your deponent cause a check of the New York Registration 561-XLB to be made. New York State Motor Vehicle Bureau computer reveals that this registration plate is registered to David R. Berkowitz, Date of Birth: June 1, 1953, at 35 Pine Street Yonkers, New York. The vehicle is described as a 1970 Ford, Yellow Sedan.
- E. Your deponent was present at the Yonkers Police Headquarters and on August 10th, 1977 had conversations with various members of the Yonkers Police Department, and Mr. Craig Glassman, Deputy Sheriff-Investigator Westchester County. Your deponent was informed by these individuals whose identity is known to your deponent, that David R. Berkowitz is a "Male, White, in his 20's, about 5'10"-6', approximately 170 pounds, brown hair."
- F. At 4:00P.M. on August 10, 1977, your deponent was present on Pine Street in Yonkers, New York and at that time observed a vehicle parked at the curb. Said vehicle was a 1970 Yellow 4 door Ford Sedan, with a Black vinyl top, with New York Registration plates 561-XLB affixed to it. Your deponent looked into said vehicle and observed a duffle-bag on the rear seat. Protruding from the duffle-bag was part of what appeared to be part of a rifle, possibly of a type, possession of which is illegal in New York State, (Article 265. New York State Penal Law). Your deponent further observed that the left rear door of said vehicle was open and further inspection of the firearm revealed that it appeared to be of a type which fires bullets automatically with a single pull of the trigger. Said weapon constitutes a machine gun under New York State law and possession thereof is a class C Felony under Section 265.03 New York State Penal Law.
- G. In addition to the above, your deponent observed a white envelope which had printed on it "Attention Suffolk County-NYPD and the press". Said lettering on the envelope appeared to your deponent to be the same as that on two notes which delivered to a member of the press and which "take credit for" the shooting which are hereinabove described.
- H. Your deponent further states that on August 10th, 1977 at approximately 8:00 P.M. he was present at No. 35 Pine Street Yonkers, New York, and at that time observed a doorbell, located in the lobby of said address, and a printed label bore the Legend "D. Berkowitz" and also bore the apartment "7E". Your deponent is further informed by Mr. Glassman that Mr. Berkowitz resides in apartment 7E of 35 Pine Street Yonkers, New York. Mr. Glassman has this knowledge because he also resides in said building.
- I. Your deponent further checked a telephone directory for the County of Westchester and it revealed that Mr. Berkowitz resides at 35 Pine Street Yonkers, New York and has listed to him telephone No. 423-8908.

3. Based upon the foregoing reliable information there is probable cause to believe that certain property, possession of which is unlawful, constitutes evidence and tends to connect and demonstrate that an offense was committed, to wit:

- A. .44 Calibre Revolver, "Bulldog" model
- B. Ammunition for said firearm
- C. Handwriting samples
- D. Documents, Writings and other records such as telephone

receipts, rent receipts evidencing dominion and control of apartment 7E of Premises 35 Pine Street Yonkers, New York and of a 1970 Ford Vehicle bearing New York Registration 561-XLB --

E. Fingerprints and Palmprints,

is located in Apartment 7E of Premises 35 Pine Street Yonkers, New York.

There further exists probable cause to believe that the following property, possession of which is illegal, constitutes evidence and tends to connect and demonstrate that an offense was committed, to wit:

- A. A Long firearm, of a type which is capable of being automatically fired,
- B. Ammunition for said firearm
- C. .44 Calibre Revolver, "Bulldog" model
- D. Ammunition for said revolver
- E. Handwriting samples
- F. Fingerprints and palmprints

is located in a 1970 Ford Sedan bearing New York registration plates 561-XLB.

Request is further made that the warrant and order of contain a provision permitting execution thereof at any time of the day or night and that it further provide that entry to said premises and vehicle can be made without the executing officer being under the obligation of announcing his authority and purpose, in that because of the nature of the crimes being investigated and because of the potential dangerous nature of the items sought, to announce authority and purpose would constitute a substantial potential danger to the lives of the officers' executing the warrant,, or said property may be quickly destroyed.

WHEREFORE, I respectfully request that the Court issue warrants and orders of seizure in the form annexed, authorizing the search of David R. Berkowitz, premise 35 Pine Street Apartment 7E, Yonkers, New York and of vehicle: 1970 4dr Yellow Sedan, New York Registration 561-XLB and directing that such property herein described or evidence or any part thereof be found be seized and brought before the Court; together with such other and further relief that the court may deem proper.

No previous application in this matter has been made in this or any other court or to any other Judge, Justice or Magistrate.

Det. Edward Zigo Shield No. 2419
10th Homicide Zone- N.Y.C.P.D.

Sworn to before me this 10th
day of August, 1977

City Judge, City of Yonkers, New York

CITY	DESCRIPTION OF PROPERTY	VALUE

ADDITIONAL INFORMATION AND DETAILED REPORT

August 10, 1977

The assigned spoke with New York City Detectives Edward Zigo and John Longo, who related that they were pursuing the .44 caliber homicide investigation in New York City and are here to interview one David Berkowitz, male white, 24 years, of 35 Pine Street, Apt. 7-E, relative to him receiving a traffic summons on his vehicle, a 1974 Ford, New York Reg. 561-XLB, yellow with a black vinyl top, which was issued to him shortly before and in the same area of the last .44 caliber killing in Brooklyn, New York.

Detectives Zigo and Longo were informed that this Department was conducting two investigations: No. 1 - Investigation of threatening letters received by one Samuel Carr of Address [redacted] the first being issued on April 21, 1977, DD#: 2144-N - CSR#: 20,292, and the second investigation being a suspected arson, the complainant being one Craig Glassman of Address [redacted] which occurred on August 6, 1977, DD#: 4422-N - CSR#: 42,723.

Said Detectives proceeded to 35 Pine Street and thereat observed David Berkowitz' car parked near the main entrance and upon looking into same, they observed what appeared to be the butt end of a machine gun which was in a sack in the back seat. Det. Longo kept surveillance on the vehicle while Det. Zigo returned to this Division and notified his superiors, and Det. Michael Shilensky of the Legal Counsel of the New York City Police Department who responded to this office and made application for a search warrant of David Berkowitz' car and his apartment.

Inspector Dowd and Chief of Detectives Keenan also responded to 35 Pine Street and were in charge of Detectives at that scene. As they were drawing up the search warrant, David Berkowitz came out of his apartment at approximately 2115 hours and entered his vehicle and was immediately apprehended and placed under arrest. Berkowitz was conveyed to this office where he was advised of his constitutional rights by Det. Sgt. Frank Fernandes.

Signature of ive:	Signature of Detective:
of	
ccer:	

CRIME CLASSIFICATION WARRANT EXECUTED (F.O.A.)	POLICE BUREAU CITY OF YONKERS, N. Y.	DETECTIVE DIVISION NUMBER 4520-N
HERETOFORE THIS CASE WAS CLASSIFIED AS FOLLOWS:	SUPPLEMENTARY DETECTIVE REPORT	SERIAL NUMBER 43,609
DATE August 10, 1977		DATE OF THIS REPORT August 18, 1977
NAME OF COMPLAINANT DAVID BERKOWITZ		
ADDRESS OF COMPLAINANT 35 Pine Street, Apt. 7-E, Yonkers		
<ol style="list-style-type: none"> Each complaint, investigation, or missing person case in which final action has been taken, or in which there have been important developments, prior to final action, shall be made the subject of a supplementary report. When final action has been noted on original complaint report no supplementary report is necessary. The Detective Division number and the serial number shall be the same as appears on the original report. If the crime classification has been changed from that shown on prior reports, give both the revised classification and the classification heretofore used. Spell complainant's name correctly. If it was incorrectly spelled on report, give the original spelling as well as the corrected spelling. 		

August 18, 1977

Attached to this report is Search Warrant Court Return made by Det. Edward Zigo of the New York City Police Department which was made August 15, 1977, before City Court Judge Robert W. Cacace, which was removed from a 1974 4-door Sedan bearing N.Y. Reg. 561-XLB which is owned by David Berkowitz of 35 Pine Street; and also from the apartment of David Berkowitz which is Apt. 7-E, of 35 Pine Street, Yonkers, New York. This court return lists all property seized which was confiscated by the New York City Police Department.

Det. Capt. Edward Jones submitted to the assigned a transcript of a tape telephone call made to the Yonkers Police Headquarters on August 9, 1977, by Det. James Justus of the 10th Homicide Zone New York City Police Department, which was received by Civilian Employee of the Yonkers Police Department Wheat Carr. Also submitted by Capt. Jones is a Captains Information report on a UF-39 dated August 11, 1977 regarding information submitted by P.O.'s Thomas Chamberlain #507 and P.O. P. Intervallo #716 of the North Command regarding one David Berkowitz, white male, 24 years, of 35 Pine Street, being a possible suspect in the Son of Sam Killings. Copies of these two reports are attached to this report.

Det. Joseph Surlak

Det. Anthony Cerasi

Sf