

How Berkowitz could have been jailed sooner

By MAURY TERRY and TOM BARTLEY
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One of a series
David Berkowitz could have been jailed on a number of serious charges that would have taken him off the streets two months ago, four victims before his capture in August 1977, as the Son of Sam killer.

By mid-June, 1977, the Yonkers Police Department had a resident's complaints that Berkowitz might well have committed those local crimes. And, unknown to the Yonkers police, the Westchester Sheriff's Office had by that time a key letter linking Berkowitz to the crimes.
Moreover, two Yonkers policemen, investigating an independent theory, believed that

Berkowitz was not only some neighborhood nuisance but might be the Son of Sam as well.
New information shows that not only private citizens but Berkowitz himself provided the Yonkers Police Department and Westchester Sheriff's Office with all the leads they would have needed to arrest him by at least mid-June, 1977, nearly two weeks before the shootings of Judy Placido and Salvatore Lupo

and almost two months before the murder of Stacy Moskowitz and blinding of Robert Violante.
Indeed, the evidence suggests that Berkowitz was at the very least tagging local police and perhaps even fashioning a deliberate trail of obvious clues. In any event, the trail was not followed until it was too late.
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THE HERALD STATESMAN

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Sunday's latest news

Robbery suspect killed

NEW YORK (AP) — Transit police shot and killed one man and wounded another Saturday night after the two robbed a drugstore directly above a transit police station in Brooklyn, police said.

Lt. John Simmons Jr., in charge of the 32nd District Anti-Crime Squad for the transit police, said Marty Robbins, 24, of 214 Rockaway Parkway, Brooklyn, was shot in the neck and killed after the robbery at Malina's Pharmacy, 521 Franklin Ave. Alexander Spitzer, 70, of 1115 E. 9th St., Brooklyn, was shot in the shoulder and was grabbed by another bullet in the neck. He was taken to Kings County Hospital for treatment.

Billy kicks the habit

AMERICUS, Ga. (AP) — Billy Carter has stopped smoking, at least until the bronchitis that has him hospitalized clears up, his doctor said Saturday night.

The president's brother, who reportedly smoked up to five packs of cigarettes a day, probably will remain at the Americus-Sumter County Hospital through the weekend for treatment of inflammation of the bronchial tubes, Dr. Paul Brown said.

Carter, 41, was being treated earlier as an outpatient for a serious cough and infection, but he was not responding to treatment, Brown said.

Mystery disease strikes

NAPLES, Italy (AP) — Three more infants died Saturday of the "mystery disease" that has claimed the lives of at least 10 babies in Naples since it was first discovered last year.

Doctors at Santobene Pediatric Hospital said all three died after developing "viral respiratory complications," a symptom routinely associated with the malady.

Hospital sources said the angry parents and other relatives of the Aruccio child tried to take the body from the hospital to prevent an autopsy. Calm was restored after police arrived, the sources said. The three latest victims were Diego Luongo, 7 months, and Costello Arnone and Cecilia Aruccio, both 4 months.

Hospital sources said the angry parents and other relatives of the Aruccio child tried to take the body from the hospital to prevent an autopsy. Calm was restored after police arrived, the sources said.

Soldiers continued their weeklong operation of dismantling public buildings and summer in downtown Naples with a formaldehyde spray to combat the disease.

Lotto lottery number

NEW YORK (AP) — Six numbers in New York's Lotto game were drawn Saturday night. The numbers are: 28-40-45-22-17. Supplementary number: 14.

INSIDE

Lifestyles In both Lifestyles sections C and H the joy of dance takes over. In H, Svetlana McLae Grody is once again tripping to the tune of a tango after a 10-year retirement. In section C, Kathie Beale takes a look at an upcoming performance of the Purchase Dance Company. Today's Travel section E reports on Club Med, the world's playgrounds in paradise.

World/Nation Mideast peace talks were in an intensive stage Saturday at Camp David, while in Moscow the Soviets claimed the United States had increased pressure on Israel and Egypt to complete a treaty. See World/Nation.

Sports Islanders beat Detroit, 3-1, as sophomore sensation Mike Bossy ties an NHL goal-scoring record. All the details are in sports Section D.

Magazines The Sunday magazine takes a look at the transformation of the public house. There's also the Business magazine, TV-Radio Week, Family Weekly and the color comics.

Weather A flash flood watch is in effect through tonight. Rain, heavy at times will cause extensive flooding before clearing to snow Monday. Details on A2.

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Viet troops strike back; China vows to fight on



BANGKOK, Thailand (AP) — Vietnamese troops hit back at Chinese invaders in three provinces Saturday, "wiping out" hundreds of soldiers, Hanoi radio said. China vowed to continue its "punitive" war and made it clear it will seize disputed border lands.
Two members of Congress just back from the battle area confirmed intense fighting and heavy casualties but said Vietnam appears confident of winning and of getting help if it needs it — apparently from Moscow.

A Hanoi radio broadcast monitored here said Vietnamese troops were blocking Chinese advances along Highway 4 between Dong Khe and Cao Bang City in Vietnam's northernmost Cao Bang Province, at the center of the embattled 490-mile border.
In Hoang Lien Son Province, farther west, Vietnamese units counterattacked, killed "hundreds of enemy troops," and destroyed 73 vehicles and four tanks, the broadcast said. In the coastal Lang Son Province, "hundreds of enemy troops were wiped out" with one battalion "badly trounced" four miles from the Chinese border, it said.

In New York, Vietnamese and Cambodian delegates to the United Nations exchanged bitter charges Saturday at the Security Council debate on China's invasion and Vietnam's military intervention in Cambodia.

Vietnamese Ambassador Ha Van Lam condemned China's "open and deliberate aggression" and rejected any link between

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Fleeing the Chinese

Inhabitants of a Vietnamese district bordering China leave the area to escape the conflict with invading Chinese forces. Reports from the area indicate that hostilities between Chinese and Vietnam-

ese forces are intensifying. The photo was released Friday by the East German news agency ADN. —AP Photo

No one's willing to take the heat for fuel oil costs

By MICHAEL ROODY
Staff Writer

The price for running the home furnace in Westchester and Putnam is beginning to rival the cost of filling up the family car. Users of home heating oil didn't need New York State's energy commissioner, James LaRocca, to tell them last week that home heating oil prices are going through the roof.

The latest price for a gallon of home heating oil is between 50 and 55 cents a gallon, up from 50 cents at the beginning of the heating season in September.

One Putnam heating oil dealer, checked in a recent state energy office survey of home oil prices, was found to be charging the highest price in the area, 53 cents a gallon.

Angered because he claimed that home heating oil prices are rising "at eight times the rate of inflation," LaRocca said Friday he was subpoenaing oil company records to discover the reasons for the increase.

The energy commissioner said he did not accept the "usual reasons" given for the price hikes, such as the cutoff of the oil flow from Iran.

LaRocca said the Iranian troubles were too recent to have affected prices and he added that despite the cutoff supplies appear to be sufficient.

Area heating oil distributors — the companies which buy the oil from the major companies and deliver it to homes and businesses — claim they are not to blame.

"We are making less on a dollar than we ever have," Mick Bonchare, an assistant to the vice president at the A. Tarricone, Inc. oil company in Yonkers said.

"Whatever the major oil companies raise the price, that's what we have to raise our prices, too," Carlton Yewell, president of the Excelsior Oil Co. in White Plains, said.

Yewell said recent increases in labor, insurance and equipment costs, along with the rising oil prices, had combined to lower the margin of profit in the home oil heat business.

The price the major suppliers charge is a wholesale price for bulk purchases of home heating oil. The wholesale price is Please turn to HEAT on back page of section

Arson leaves costly scars

By ED TRAPASSO
Staff Writer

The facious monster known as arson is a million dollar problem in Yonkers.

It's responsible for many of the blazes which have left the city's face scarred with charred ruins.

It's a devious creature, almost always showing its assault in darkness and its contemptuous, often leaving its witnesses afraid to testify.

"Hidous," is the way Capt. Joseph P. Kelly of the Yonkers Fire Department describes the crime. "Carefully," said his colleague, Lt. Donald Starkey.

Kelly and Starkey are part of a four-man team of skilled fire investigators whose task it is to combat arson. Together with Yonkers police detective William Kennedy and Walter McClain, they comprise the fire department's arson squad.

Arson is not a "new" crime, or a product of the ghetto, as some believe. It was the cornerstone in the arsenal of ancient warriors. And it probably has been the cause of countless fires in

years past. But it wasn't recognized "When Chief (Wallace) Brown came in, he started an investigative unit," Starkey said. "He wanted to find out if the arson squad was needed. He found that it was."

We found that over the past two or three year period... arson was on a rampant move in Yonkers. Starkey continued. "It justified the need for the arson squad."

Kelly, who estimates that the cost of arson is \$1 million annually, says the crime is a problem for the taxpayers. "That it could be a lot worse," he said. "People tend to compare it with years past, but in past years arson wasn't recognized."

Kelly said the \$1 million figure comes from the "spin off" costs of arson, such as relocating residents, damage to structure, overtime, as well as other areas.

The investigation unit, which was formed in 1974, evolved into the present arson squad. The squad began operating fulltime in December, 1974. It's enjoying positive results.

Since its inception, it arson suspects, half of them women, have been arrested, all but one were convicted. And the number of incidents last year that required investigation declined nearly 25 percent.

This year has been a busy one for the arson squad and fire department. Five seemingly declared wars on the city has it attacking several buildings, killing five persons and leaving scores injured.

The squad attributes this year's rash of fires to bitter cold weather among other things. Permits attempting to supplement their usual heating source might trigger a fire. And over-worked heating system often can't handle the load and ignites. But at least two fires this year — on Vark Street and Waverly Street — have been ruled arson. Neither resulted in deaths.

What motivates the arsonist? "Mostly it's just out and out vandalism, but we're finding that arson for profit is on the rise," said Starkey.

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Carter plan raises pain at sugar site

By JUDITH CROWN
Staff Writer

Refined Syrup & Sugars, one of Yonkers' largest employers, is fighting a Carter administration proposal to hike sugar price supports and subsidize domestic growers.

The company, along with other refiners, consumer groups and industrial users of sugar say that supports in the form of increased duties and fees, will only fuel inflation.

Higher prices will be paid by the processors, the companies that use sugar in foods and foods, and ultimately by the consumer, according to RSAS officials.

Rep. Peter Peyer, D-33, a critic of the bill, says that the proposed price support and subsidy program will cost U.S. consumers \$200 million next year. James W. Field, director of sales and marketing for the Yonkers refiner, says that with the "multiplier effect," the program would add at least \$600 million to the nation's food bill.

Peyer and executives of Refined Syrup & Sugars, say the administration introduced the bill under pressure from domestic sugar and cane farmers — who maintain they cannot make a profit on their crops.

John Mitchell, president of refined Syrup & Sugars, during an interview this week, said that while sugar costs eight cents a pound on the world market, domestic buyers end up paying 15 cents (the domestic price) with duties. The Carter administration now wants to raise the domestic to 15.8 cents a pound.

"You're talking about 13,000 (domestic) growers against the welfare of 220 million Americans," Mitchell said. "High cost producers should be discouraged — or urged to grow alternative crops."

The price of sugar, moreover, has not been a volatile and highly political issue, RSAS executives say. Prices fell in 1975, with the expiration of the 40-year-old Sugar Act.

Although the Carter administration originally weighed in with the refiners and users, it recently acquiesced to the requests of the domestic growers.

Mitchell observed that the federal government is torn between competing interests. The State Department, he said, wants lower tariffs to help U.S. allies and developing nations. The Agriculture Department, he suggested, is more responsive to the needs of its constituents — U.S. farmers.

Mitchell said his company will fight the proposal through its membership in the Cane Sugar Refiners Association, a trade alliance. The bill was sponsored by Rep. Thomas S. Foley, D-Wash., chairman of the Agriculture Committee, and Rep. Al Ueman, D-Ore., chairman of the Ways and Means Committee.

Refined Syrup & Sugars processes raw sugar for industrial uses such as General Foods and Coca-Cola. The company employs close to 400 workers full time.



The Yonkers neighborhood in which Berkowitz waged his guerrilla war

BERKOWITZ: Did he try to trap himself?

That trail led directly to Berkowitz, then 31, and a Bronx postal clerk living in an apartment house at 35 Pine Street in north-west Yonkers.

From his spacious, seventh-floor studio, Berkowitz says, he sallied forth to firebomb neighbors' homes, shoot their dogs and mail letters threatening their lives.

And although the Yonkers police and Westchester sheriff's offices say they investigated these crimes, Berkowitz was not arrested until a quirk of fate linked a Yonkers police dispatcher, the daughter of one of the local crime victims, with the New York City Police Department.

A Gannett Westchester Rockland Newspapers investigation has found that if all the evidence had been put together it could have led to Berkowitz' arrest as a suspect in a host of state and federal crimes including arson, attempted murder, reckless endangerment and threatening lives through the mails.

Attempts to document the bizarre crimes of Berkowitz in Westchester were rebuffed in Yonkers by the police and the city's corporation counsel, who said they could not comment officially or allow inspection of records while lawsuits challenging the city's jurisdiction were pending in the courts.

The Westchester Sheriff's Office agreed to interviews but refused access to official records, including critical ones requested under the state's Freedom of Information Law.

Nevertheless, from material already on the record and through interviews with key figures—including Berkowitz—and police and legal sources who would speak only if granted anonymity, the scope of Berkowitz' Westchester criminal career, and the free hand he had in pursuing it, were pieced together.

That criminal career and the police responses to it will be detailed in succeeding installments of this series.

Briefly, the information obtained by this newspaper shows that Berkowitz waged a violent but systematic guerrilla war against

Key figures in the Berkowitz drama

This is the cast of key Westchester residents in the guerrilla war of firebombings, dog shootings and threatening letters and telephone calls carried out by David Berkowitz in the 15 months before his arrest in Yonkers as the Son of Sam killer.

—Sam Carr, a retired City of Yonkers public works employee, who, with his wife, Frances, operate an answering service from their home. The Carrs were subjected to a firebombing and threatening letters, which he turned over, with a postcard sent to a New Rochelle resident he believed written by the same hand, to Yonkers police. Their dog, Harvey, was shot twice and still carries one slug in his body. Sam Carr became the unwilling "father" of Son of Sam.

—Wheat Carr, their daughter, who, as a civilian dispatcher in the Yonkers Police Department at the time, took a key telephone call from the New York City

Son of Sam task force about a traffic ticket issued to David Berkowitz in Brooklyn and told the New York officers of an investigation by two Yonkers officers of Berkowitz' possible involvement in a series of bizarre local incidents.

—Jack Cassara and his wife, Naan, who received a puzzling get well card at their New Rochelle home "signed" by the Carrs and listing their address. They contacted the Carrs.

—Steven Cassara, their son, who remembered after the Cassara family met with the Carrs, that the Cassaras had a dog-hating tenant who moved out in a huff over the Cassaras dogs. They found his name, David Berkowitz, and his address, 35 Pine St., in the telephone book. They notified Sam Carr.

—Joachim Neto, his wife, Maria, their daughter, Sylvia, and Mrs. Neto's mother, Andrea Almeida, the first victims. Their

house was firebombed, their dog, Rocket, shot to death, their telephone calls and mail containing filth and threats.

—Craig Glassman, a male nurse and civilian volunteer member of the Westchester Sheriff's Emergency Force, who lived in the apartment beneath Berkowitz and triggered Berkowitz' wrath by falling asleep one night and leaving his television set on. The letter threatening his life became vital evidence.

—Thomas Chamberlaine and Peter Intervals, the Yonkers police officers who saw a pattern to the firebombings, dog shootings and hate letters. They saw in Berkowitz the possibility of a Son of Sam suspect and relayed that information to New York City authorities on Aug. 5—five days before Wheat Carr received the call that turned Berkowitz into a suspect instead of a possible witness in the killing of Stacy Moskowitz in Brooklyn.

—The next day, in writing to Glassman and threatening his life, Berkowitz used his own former address—Cassara's—on the envelope.

The Sheriff's Office did not contact the Cassaras, however.

Instead, treating the letter as the work of a crank, possibly someone in the department, the Sheriff's Criminal Investigations Division turned over the letter to its identification section in a futile check for fingerprints.

The Sheriff's Department also did not notify the Yonkers police that someone was threatening to kill a resident of that city, a move that could have resulted, it now is clear, in Berkowitz' immediate arrest.

While the Westchester Sheriff and the Yonkers police sat at separate tables, the Carrs and Cassaras, strangers until joined by the writings of Berkowitz, met and compared notes, so to speak. Satisfied the handwriting matched, they sought at their meeting to identify someone they had in common. Unable to find anyone either family knew, let alone someone capable of the crimes that had been committed, the Cassaras went home. There, the Cassaras' son, Steven, recalled Berkowitz, a former tenant who rallied against the Cassaras' barking dogs, Berkowitz, they learned from the phone book, was a current Carr neighbor. The similarity in handwriting also suggested to the Cassaras that he could be the same person who rallied against Carr's barking dog, threatened Carr's life because of the barking dog, and finally shot the dog.

Jack Cassara that night called back Sam Carr and related the story of his strange tenant.

The next day, which was two weeks before the shootings of Judy Placido and Salvatore Lupo outside a discotheque in Queens, Carr went to the Yonkers police. He presented copies of the correspondence that he and the Cassaras considered an obvious match. He also gave them Berkowitz' name, his address directly behind the Carr home and his phone number. He went on to relate his suspicion that Berkowitz might also have been the man who had shot his dog barely more than a month ago and firebombed his home the previous October.

Did the police investigate? The city imposed ban on official comment or even access to public records makes it difficult to determine with precision what steps were taken. Sources say efforts were made to compare Berkowitz' handwriting with the threatening letters to Carr. These sources also indicate that only two Yonkers patrolmen considered Berkowitz a serious suspect in any of these crimes. The question remains: Should he have been?

TOMORROW: Berkowitz begins his guerrilla war in Yonkers.

\$100,000 bail for officer

Suspended New York City policeman Kevin Durkin was ordered held in \$100,000 bail at his arraignment Saturday on a homicide charge following the death of one of two unarmed Bronx men he allegedly shot during a barroom argument.

Durkin, 29, an Eastchester resident was arraigned on the second-degree murder charge before Judge Harry Silverman in Bronx Criminal Court. The officer was arrested at his home in Eastchester at about 1:30 a.m. Saturday, following the death of 25-year-old Domingo Morales.

Morales, of 2173 Grand Concourse, died of a head wound at Jacobi Hospital, at about 9 p.m. Friday.

The second victim, Manuel Martinez, 28, of 2185 Ryer Ave., was reported in critical condition and "hanging by a thread" on life-support equipment at North Central Bronx Hospital. He was shot in the chest and shoulder.

Durkin had been free in \$10,000 bail after arraignment on two counts of attempted murder in connection with the Wednesday night shooting at Mr. G's bar and grill at 238

E. 181st St., directly across the street from the 46th Precinct police station.

Police said the off-duty policeman and the two men became embroiled in an argument and Durkin shot them, at about 10:40 p.m.

Detective George Davey, who arrested Durkin on Saturday morning, said the officer had made a statement "to justify his shooting these two people, that he had been right."

A police department spokesman said that Durkin, a seven-year police veteran with nearly 30 citations for excellence, merit and exceptional behavior, had said he "felt threatened by these men and that's why he shot them."

Durkin, who is married and the father of a young child, was assigned to the citywide street crime unit before his suspension.

County details bus problems

Westchester officials have submitted a lengthy, itemized list to General Motors Corp. pinpointing all the "deficiencies" in the company's 20 "advanced design buses" delivered recently to Westchester.

The buses, part of an order of 100 placed last year by the county, have not as yet picked up a single paying passenger. Instead, they have sat in recent weeks in county facilities as GM engineers work on inspecting and correcting some of the problems.

The "punchlist" submitted by County Transportation Commissioner R. Ralegh D'Adamo complains of leaks from the windows, ill-fitting doors, noises, missing knobs, faulty odometers and misfitted equipment.

The county has not even begun to investigate possible problems with the brakes, according to D'Adamo. Possible problems surfaced last week in Detroit where it was determined that the brake linings, in the identical-style bus purchased by Westchester, wear out after about 1,000 miles — about five times faster than the type of linings used on older vehicles.

G.M. Pegg, the manufacturer's representative who sold Westchester the buses, responded last week by arguing that the list wasn't as bad as it looked.