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20

Berkowitz waged guerrilla war

Clear pattern emerged in Yonkers crimes

This is the second of a five-part series disclosing that David Berkowitz, who terrorized New York City for a year, could have been jailed two months earlier on charges unrelated to the Son of Sam murders.

By MAURY TERRY and TOM BARTLEY
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Much of the criticism—and lawsuits—aimed at the City of Yonkers over its handling of the David Berkowitz case have maintained the city should have known he was Son of Sam and arrested him as the 44-Caliber Killer, a dubious assertion the courts have rejected twice in dismissing those suits.

What has not been tested is whether Yonkers police should have realized that Berkowitz was:

- An arsonist, responsible for at least two firebombings only steps from his 25 Pine St. apartment.
- An armed murderer who used his weapons to shoot two dogs, one of them fatally, at the homes he had firebombed some six months earlier.
- A writer of threatening letters, who had dispatched messages of hate to the firebombing victims and to a downstairs neighbor whose front door he set afire only days before his eventual arrest.

Those crimes spanned but 15 months, followed a virtually identical pattern, took place on less than an acre of land—and went unnoticed.

A Gannett Westchester Rockland Newspapers investi-

gation has found that if all the evidence against Berkowitz, held separately by the Yonkers police and the Westchester Sheriff's Office, had been put together it could have resulted in his arrest as a suspect in a host of state and federal crimes by mid-June, 1977—before the Son of Sam had claimed one more life, blinded a young man and wounded a young couple.

Unlike many crimes that go unsolved in the big cities and small towns of Westchester, the guerrilla war Berkowitz waged in Yonkers was but a small part of the larger role he played as the year-long reign of New York City's night streets by the Son of Sam.

There had been no .44-caliber killings let alone a "Son of Sam" when Berkowitz opened that war against his

Yonkers neighbors in the black stillness of the morning of May 13, 1976.

Berkowitz was new to the neighborhood, a compact collection of modest single-family homes and high-rise apartment buildings coexisting between the busy north-south arteries of Warburton Avenue and Broadway in northwest Yonkers.

Berkowitz had settled himself into a top-floor studio apartment at 25 Pine in April after staking out of his rented room in New Rochelle after an emotional outburst over the barking of his landlord's dog.

Berkowitz' new apartment was numbered 7E and commanded a dramatic view of the Hudson River. But far below was a scene that would prove even more dra-

(Please turn to 6A)



Dead rooster lies in fighting ring at Calls Hollow Rd., Haverstraw.



Suspects sit in hallway outside district attorney's office in New City after Sunday raid.

39 arrested in raid on gamecock fights

By FRANK LEONARD
Staff Writer

The largest illegal cockfighting operation in the Metropolitan area was broken up Sunday when police arrested 39 people at two Rockland County locations.

About 30 uniformed police officers, plain clothes detectives, state troopers, deputy sheriffs and investigators from the American Society for the Prevention of Cruelty to Animals (ASPCA) struck locations and

Haverstraw and New City shortly after 1 p.m.

The police seized at least 18 fighting cocks, a quantity of cash, a loaded .38 caliber revolver, scales, records, and numerous sharp-pointed instruments placed on the legs of the birds, who fought each other in pits, usually to the death.

In addition to the 29 persons arrested, six children who attended the cockfights with their parents were also taken into custody.

Jack Cherry, the chief ASPCA investigator in New York City and

a participant in the raid, described the Rockland operation as the largest in the metropolitan area.

The investigation that led to Sunday's raid began two years ago, but state police and ASPCA investigators were unable to obtain sufficient evidence to make arrests at that time. Recently, an undercover investigator with the district attorney's office was able to penetrate the operation and attended fights at a barn at Calls Hollow Road in the Town of Haverstraw. He also obtained information about activities

at a dairy farm on Strawtown Road in New City. District Attorney Kenneth Grubbs said. It was those two locations that were raided Sunday.

All the adults who were arrested were arraigned at the district attorney's office by Swoy Point Town Justice Vincent A. Clark. All were charged with violating Section 352 of the state's Agriculture and Markets Law which forbids instigating fights between gamecocks. Grubbs said.

The same law also forbids fights between other animals including

dogs, bulls and bears. A conviction carries possible fines of \$10 to \$2,000 or jail sentences of ten days to one year or both.

Fights between gamecocks were in progress when police raided a barn owned by Albert C. McDaniel at 4 Calls Hollow Road in Haverstraw, according to Grubbs.

There were no fights in progress when police went to the Kolka Farm on 219 Strawtown Road in New City, but police using a search warrant seized several sharp-pointed instruments, some made of steel

and others of plastic. Similar instruments were seized at the Haverstraw barn.

The instruments, called spurs, are placed over natural spurs growing on the legs of the fighting birds. The birds are then trained to slash and stab at their birds.

Two birds are then placed together in a pen where they fight, usually to the death.

Sunday's fights were conducted inside a wooden pit about 20 by 20

(Please turn to 6A)

Eclipse rained out in county

Notion watching clouded sky — 2A

Rockland experienced only scattered flooding problems this morning as the latest winter storm dampened their hopes of viewing today's partial eclipse of the sun.

Police reported minor street flooding on Paradise Avenue in Piermont and Rosman Road in Haverstraw, but said there had been no property damage reported. Tappan Zoo bridge traffic was slowed to 35 miles per hour, but continued to move freely, state police said.

A flash-flood warning, issued at 3 a.m. by the National Weather Service, continued in effect as the first two inches of an expected three-inch rainfall were reported at

Westchester County Airport.

Tides were expected to rise about two feet above normal and easterly winds were expected to create rough seas, causing beach erosion and flooding of low-lying areas.

The alignment of the sun and moon during the solar eclipse, which extended from 10:30 a.m. to 1:31 p.m., was expected to cause higher tides which would aggravate flooding conditions in the metropolitan area. A Weather Service spokesman said.

Although today's eclipse is the last total eclipse North America

will see until the year 2017, the best sky show Rockland could have expected anyway was a two-thirds blockage of the solar surface at 12:16 p.m.

A solar eclipse occurs when the moon lines up with the sun and blocks the sun's rays from reaching the earth, with total eclipses normally lasting from two to three minutes.

Today's eclipse, total in the western part of the continent, began just west of Washington State and is moving across the northern U.S. and Canada at 1,700 miles per hour.

WEATHER FRONT

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Carter invites Begin to Camp David for talks

Israeli rabbi visits Rockland — 1B

WASHINGTON (AP)— President Carter wants Israeli Prime Minister Menachem Begin to come to Camp David by the end of the week to try to complete peace treaty terms with Egypt.

The presidential announcement Sunday put Begin in the spotlight because it would be up to him to either approve or reject a combination of unshackled U.S. and Egyptian proposals for dealing with the Palestinian issue.

The door was left open for Egyptian President Anwar Sadat to join the summit session in the Maryland mountains if the negotiations succeed. In the meantime, Egypt would be represented by Prime Minister Mustafa Khalil.

Begin's response is expected after a special Cabinet meeting Tuesday. A government source in Israel said Begin was not likely to attend without Sadat.

In Jerusalem today, however, Begin led a group of

THE MIDEAST

Dutch reporters: "It's up to President Sadat to come or not to come... It's not a question of anyone's personal participation."

"Our country is a democracy and the government and the Knesset (Parliament) take the decisions," he added.

In Egypt, President Sadat is the man who makes most of the decisions. The issue is between the two countries, and not two individuals."

New U.S. ideas for resolving the Palestinian dispute reportedly were submitted by Secretary of State Cyrus R. Vance at Camp David last week in talks with Khalil and Israeli Foreign Minister Moshe Dayan.

The idea is to link the treaty to civil self-rule for the 1.1 million Palestinian Arabs living on the Israeli-held west

bank of the Jordan River and in the Gaza district.

The Begin government does not want peace with Egypt to be dependent on future negotiations over the Palestinians, particularly because no Palestinian leader has indicated he is willing to participate in those talks.

Dayan flew to Israel after Carter's announcement, which was drawn up with the approval of Dayan and Khalil. As a result, reports of surprise in Israel that a summit was being arranged with Begin but without Sadat were discounted by U.S. officials.

"Carter knows it is only Sadat and Begin who can make the decisions," said the Israeli source, who requested anonymity in Jerusalem. "If Begin goes without Sadat, it will seem like Israel is being asked to make all the concessions."

Carter read his statement to reporters on the White House south lawn. Dayan and Khalil were at his side. Vance and Zbigniew Brzezinski, the U.S. national security adviser, were close at hand.

"I am prepared to spare no effort in achieving the peace settlement foreseen in the Camp David accords reached last year," Carter said. "The other two partners in those negotiations share this determination."

Carter said Khalil had Sadat's authorization to conclude the negotiations for Egypt—a point stressed by U.S. officials later in response to suggestions the arrangements appeared to put Begin on the spot.

Jody Powell, the White House press secretary, said that "sometimes, midweek or so, we ought to know" whether a new round of negotiations will be held.

Carter had said before the talks began that he might convene a summit if the ministerial negotiations indicated the two countries were determined to complete the treaty.

He gave no indication in his statement whether Vance had made any headway during four days of negotiations with Dayan and Khalil at Camp David. But it is understood Vance found some flexibility on both sides.

Clear pattern emerged in Yonkers crimes

(Continued from 1A)

matic to Berkowitz—Sam Carr's backyard on Warburton Avenue, and next to it a split of a street called Wicker.

The Joachim Neto family and their German shepherd, Rocket, lived at 18 Wicker St., some hundred yards from Berkowitz' new home in a three-story frame house. Shortly after 3:30, covered by the darkness of the May morning, Berkowitz slammed a firebomb only inches from the bedroom window behind which the Neto's 12-year-old daughter had been sleeping. Flames burned the front of the house and porch, causing an estimated \$7,000 in damage.

"It burned. It burned. We all thought we were going to die," says Andrea Almeida, mother of Mrs. Maria Neto, recalling in her native Spanish the night that flames illuminated their tiny neighborhood and plunged the family into a six-month siege by a terrorist.

Then came the letters, "dirty letters" that threatened the family, says Mrs. Almeida. "We destroyed them." A series of obscene and abusive phone calls followed, says Mrs. Neto, and then a false alarm to the Yonkers police telling them that dead bodies were to be found at 18 Wicker St.

The cops came banging on the door at about 1 in the morning," says Maria Neto. "We didn't know what had happened." There were no bullets or bombs, she says. Berkowitz said after his arrest that he had called the Yonkers police, presumably anonymously, to tell them that "Joachim is tormenting me," most likely a reference to Joachim Neto.

Finally, on Christmas Eve, 1976, Berkowitz left his job with an Elmford construction company, stopped at a coworker's home in north Yonkers for a couple of holiday drinks and, finishing the evening, shot Rocket to death on the front porch of the Neto home.

As Berkowitz fired his small-caliber rifle into the front wall of the house, the Neto's 12-year-old was once again behind the wall, this time playing a piano with her cousin in the living room. The shot missed the living room window by about a foot.

"It was horrible—all of it," Mrs. Neto remembers. "I was sick during that time and that made me worse. We were terrified because someone was trying to kill us. I waited by the window each day for my daughter to get home from school. I wanted all of us to move out."

Although the shooting of Rocket was the last Berkowitz attack on the Neto's, they remained in terror until his arrest eight months later. "This man kept us in fear for more than a year," says Mrs. Neto.

With the killing of Rocket, Berkowitz had physically completed his campaign against the Neto family. But by then he had already opened a second front in the guerrilla war, only yards from the Neto home, following the identical pattern, but with a potentially deadly difference. Again, it had been the darkness of a new morning, in October, 1976, when Berkowitz began his attacks on the family of Sam Carr.

Carr, who was then 52 and retired from the Yonkers Public Works Department, operated an answering service out of his rambling home at 316 Warburton Ave. He lived there with his wife, Frances, his daughter Wheat, 25, a Yonkers police dispatcher; son Michael, 21, and the family's black Labrador retriever, Harvey. Another son, John, 20, was in the Air Force, awaiting discharge in North Dakota.

Their treatment at the hands of Berkowitz would be doubly cruel. For when the attacks followed the Neto pattern of firebombing-hate mailing-shooting, Berkowitz would also appropriate Carr's first name, linking it identically to the Son of Sam killings and propelling this essentially private person into a glare of public attention



David Berkowitz, center, on night of his arrest in 'Son of Sam' killings. He is flanked by New York City detectives.

he neither asked for nor desired. The Carr family refused to be interviewed for these articles.

The publicity and other tragedies to befall the Carr family were all far in the future, however, when Berkowitz paid his first call on 316 Warburton Ave.

It was Oct. 9, 1976, when Berkowitz arrived with a firebomb at about 4 o'clock on a Saturday morning. The Molotov Cocktail flew through the darkness and smashed through a front window, into the home's answering service office, and set aflame a curtain, some books and a desk. Carr, awake at the time, grabbed a fire extinguisher and doused the flames before the firemen arrived. It was less than five months since another pre-dawn firebomb had charred the nearby Neto home.

Fire Department records show that Yonkers detectives were at the scene but the police, citing pending lawsuits against the city over the Berkowitz case, officially will neither confirm that one saw what steps were taken to investigate the arson, a crime punishable by up to 25 years in prison.

This newspaper was told by one source, however, that neighborhood youths had spotted Berkowitz thrashing the firebomb; that they later told the Carr family their attacker was "a white guy from 35 Pine." It was a reference to Berkowitz' apartment building, predomi-

nantly occupied by black families. That information was subsequently reported by the Carrs to the Yonkers police, the source says. The police say they were never told.

Except for the shooting of Neto's shepherd the following December, the Pine-Wicker-Warburton neighborhood settled into a state of relative calm for the next six months.

New York City was a different story. Two weeks after the Carr home was firebombed by Berkowitz, a 44-caliber slug tore into the head of Carl Denaro, 30, seriously wounding him, as he sat in a parked car with a girl in Flushing, Queens. Although New York detectives did not know it at the time, and would not for several months, the same gun had been used two months after the Neto firebombing to murder 18-year-old Donna Lucia outside her Bronx home on July 28.

By the time Carr next heard from Berkowitz, by an anonymous letter postmarked April 10, 1977, three young women had been murdered with that .44-caliber Bulldog and four other persons had been wounded. The Son of Sam was halfway through his murderous march of the city streets when Carr received his first letter, which complained bitterly of Harvey's barking in the backyard but contained no threats other than legal action the writ-

er said he was instituting against Carr.

A week later, on April 17, Valentina Suriani and Alexander Esau were shot to death in a parked car in the Bronx and a letter was dropped between their bodies. In the letter, which was not made public, the writer identified himself as "Son of Sam" and blamed his murders on an old, drunken, family-beating father named Sam. "Go out and kill" commands father Sam," the letter read at one point. All told, it used the name Sam six times in describing his lust for blood, his heart condition and his house, garage and attic.

Sam Carr, like the rest of the public, was not aware of those references when he received his second letter from Berkowitz three days later. This time, the anonymous letter postmarked April 19 threatened to kill Carr and his family. One week later, Berkowitz says, he tried to make good on that threat.

In the course of a four-hour interview at which one of these writers was present, Berkowitz described that April morning and what he said was his true target.

"I went to kill the Carrs."

Berkowitz identified the Carrs as "my enemies." He said, "I hated them. I wanted them dead. But they were inside the house so I shot the dog instead."

Berkowitz said in the interview that he had loaded a 30-round clip into his .45-caliber, semi-automatic rifle, a weapon purchased in a Brooklyn sporting goods store. At 7:20 in the morning, Berkowitz said, he tested his rifle along the sidewalk behind Sam Carr's house with the intention of slaughtering the Carr family.

Instead, he fired several shots in the direction of the Carr home, one of them hitting Harvey, the black Labrador tied up in the backyard. Sam Carr immediately contacted the Yonkers police, complained of the dog shooting and turned over the anonymous letters he had received from Berkowitz.

Harvey today still carries a 45 slug in his body and police sources still say they cannot determine the caliber. Carr, however, has been quiet as saying he found a shell casing in his backyard. A source confirms that, adding the casing was turned over to the Yonkers police. Police sources deny the department ever received the shell.

With the wounding of the Carr dog, Berkowitz had completed a carbon copy of the Neto attacks about one hundred feet away.

Had a pattern emerged? "With such a like pattern of crimes happening so close to one another, it is probable that the same person could be responsible for all of it, including the arson," a New York City detective says.

An FBI agent adds, "With the threatening letters griping about a dog barking, it makes sense to believe that the guy most likely lives within earshot of the dog. That's a pretty narrow search area to be concerned with."

A source close to the Carr family says Berkowitz followed up the rifle attack with still more anonymous threatening letters. These letters have never surfaced. But others, dramatically more important, have come to light.

They were mailed by Berkowitz in early June, little more than a month after he had shot up the Carr's backyard.

They could have led the police to the firebomber's rifleman of 35 Pine St. They could have led to the arrest of David Berkowitz. They could have saved a life and prevented a blinding. They did not.

NEXT: Did Berkowitz use his letters to guide the police to his Yonkers hideaway?



Pens of Carrs' home on Haverstraw.

39 arrested in raids

(Continued from 1A)

feet. Often, the fights ended when one party would, equipped with either the plastic or steel spurs, kill its opponent by slashing its throat. Injury to the birds was also common, Cherry said.

"These things will put an eye out in a flash," Cherry said about the fighting spurs.

Gribetz estimated that cock-fighting in Rockland has been taking place every Sunday for at least the past two years. There was an admission price of three dollars per person. A series of ten fights was held at each location every Sunday. A total of about \$400 was usually bet on the outcome of each fight.

In addition, beer and whiskey were being sold to those who attended the fights. A number of cans of beer and a bottle of Scotch whiskey were seized during the afternoon raids, the district attorney said.

Cock-fighting is not new to Rockland. There were fights in Stony Point for the past 45 years.

"This reminds me of the old days in Grassy Point," Carr said. It was about 60 years ago when they held cockfights and also fights between buildings at locations in the hamlet of Grassy Point which is located in Stony Point, the judge said.

McDaniel, in addition to being charged with instigating fights be-

tween gamecocks, was also accused of keeping a place where birds fought, endangering the welfare of children, criminal possession of a loaded gun and promoting gambling. The 38-year-old barn owner was freed on \$5,000 bail pending a future court hearing.

The owner of the New City dairy farm, identified by Clarkstown Detective David Wedek as Joseph Kozka, was not charged. However, the investigation is continuing, Gribetz said.

Those who attended the cock-fight were fined \$100 each and released.

Adrian Van Dusk, 43, of 24 Seventh St., Hillburn; George Cruz, 36, of Tarrytown; Wilfredo Santiago, 34, of Tarrytown; Manuel Arias, 34, of 60 Broad St., Haverstraw; and Freddy Morales, 37, of 85 Railroad Ave., Garrisonville, were also charged with endangering the welfare of minors because they brought their children to the cock-fight. They were freed on \$500 bail pending future court appearances, Gribetz said.

Others from Rockland who were fined \$100 after pleading guilty to attending the fight were identified by Gribetz as Jerry Fernandez, 25, of 96 Bridge St., Garrisonville; Nestor J. Morales, 47, of 64 Bridge St., Garrisonville; Cesar Negron, 38, of 11 Clinton St., Haverstraw; Carlo Doraan, 38, of 1 Main St., Haverstraw; Antonio Henriquez, 43, of 11

Rockland St., Haverstraw and Victor Reynoso, 29, of 30 Main St., Haverstraw.

Also fined were Silverstein Demerco, 49, of 7 Rockland St.; Ramon Pena, 28, of 9 Fairmont Ave.; Felipe Pena, 28, of 7 Rockland St.; Jose Duran, 43, of 12 Third St., all Haverstraw; and Rolando Canals, 22, and Jose Canals, 16, both of 64 Bridge St., Garrisonville.

Also fined were Felix Rodriguez, 48, of 33 Sunnyside Ave., West Haverstraw; Fernando L. Pena, 26, of 7 Rockland St.; Julio Santiago, 45, of 22 Jefferson St.; and Nicholas Duran, 72, of 11 Third St., all Haverstraw; and Miguel Fernandez, 19, of 68 Bridge St., Garrisonville.

Weischester residents who paid fines after attending the cockfight at the Haverstraw barn were identified by the district attorney as Adolfo Heortas, 38, Orlando Morales, 22; Ernesto Casasso, 37; Edwin Negron, 18; Domingo Martinez, 21; Francisco Martinez, 37; Gonzalez Mora, 38; Bonero Matos, 29; and Juan Hernandez, 43, all of North Tarrytown.

Others who paid fines were Hidalgo Amatoles, 42; Felix Chirino, 49; Raul Peraza, 37; and Benigno Negron, 34, all of Tarrytown; William Matos, 45, of Purchase and Juan Lucena, 51, of Yonkers; Floyd Perrano, 78, of Mahwah, N.J. was also fined.

Informer says Hoffa conspired to murder rival

PHILADELPHIA (AP) — A government informer reportedly has told investigators that shortly before Jimmy Hoffa disappeared in 1975, he had had a plot to kill Teamsters rival Anthony "Tony Pro" Provenzano.

Charles Allen, an informer and a confessed hired killer, says the plot hatched when one of two hired guns told Provenzano of it, the Philadelphia Bulletin reported today, quoting unidentified sources.

Investigators questioning Allen believe the tale could provide a strong motive for killing Hoffa, the newspaper said. The former Teamsters president was last seen at a suburban Detroit restaurant July 30, 1975, and efforts to find him or his body have been fruitless.

Provenzano, 61, is serving a life sentence for the 1961 murder of Anthony Castellano, a potential Teamsters corruption witness.

At the time of his disappearance, Hoffa reportedly had been wrangling with factions aligned against him while angling to regain Teamsters reins.

He had been president of the union until a jury tampering conviction sent him to jail. Former President Richard Nixon commuted Hoffa's sentence in 1971.

Provenzano, an official of Union City, N.J., Teamsters Local 566, reportedly was aligned with some of the same elements Hoffa sought to oust from the union command.

FBI documents indicate that another informer, former Provenzano associate Ralph Picardo, said Provenzano twice had plotted to kill Hoffa, in November 1973 and December 1974. But the plans were not carried out for unexplained reasons, the newspaper said.

Government documents filed in federal court say Allen also has claimed Hoffa had fugured current Teamsters president Frank Fitzsimmons for execution, using Allen as his man.

Government sources say Allen never learned the identities of the two men hired to kill Provenzano, the Bulletin reported.

Talmadge to be released from hospital

LONG BEACH, Calif. (AP) — Sen. Herman Talmadge, whose finances are under investigation by the Senate Ethics Committee, will be released soon from a naval hospital where he is undergoing treatment for alcohol abuse, an aide says.

Gordon Roberts, Talmadge's press officer, said the 65-year-old Georgia Democrat had



Plane crash kills 2

The wreckage of a small plane floats in Tampa Bay Sunday after it crashed on

route to Birmingham, Ala., killing two passengers. A Florida Marine patrol boat stands by.

Talmadge to be released from hospital

scheduled an invitation-only news conference for today at the Long Beach Regional Naval Hospital.

Talmadge was transferred to the Long Beach facility on Jan. 25 three days after he was admitted to Bethesda Naval Hospital in Maryland for what his aides called treatment for "exhaustion, fatigue and alcohol abuse, which associates said was the result of prolonged

stress and pressures."

No specific date has been set for his release, Roberts said. The most recent pressures on Talmadge began during a lengthy and bitter divorce action with Betty, his wife of 30 years. The couple was granted a divorce in October 1977, but Talmadge's finances came under intense scrutiny during a property dispute.