

Did Berkowitz really kill Stacy Moskowitz?

By MAURY TERRY and JAMES MITTEAGER
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David Berkowitz, the self-proclaimed Son of Sam, lied in his confession and apparently had an accomplice with him the night of the fatal attack, new information uncovered by Gannett Westchester Newspapers shows.

It also appears that it was the accomplice, not Berkowitz, who killed Stacy Moskowitz and blinded Robert Violante with the notorious 11-caliber weapon Berkowitz was carrying when arrested.

Berkowitz, police sources say, may have been more than a lookout for the killer.

A witness says that 15 minutes before the shots were fired, Berkowitz jumped in his car and sped from the scene, following a police car back from the shooting site.

That report contradicts Berkowitz' account of his movements that night in Brooklyn. Further, it puts him out of the area at the same time Violante says he and Mrs. Moskowitz were watched by a "weird, grubby" man—always presumed to have been the killer—in a playground adjoining the parking spot where they were

shot shortly after returning to their car.

Berkowitz, who said he never left the scene, had maintained he was the man in the playground.

The report of Berkowitz' departure has been withheld from the public by the police and prosecution. It was supplied by Cecilia Davis, the woman credited with alerting police to the parking ticket placed on Berkowitz' car a half hour before the shooting, which occurred on July 31, 1977.

That ticket, written because Berkowitz had parked at a fire hydrant on Bay 17th Street—two blocks from Bay 17th Street just moments before the shots were fired. However, her crucial first sighting of Berkowitz, as he earlier drove from the neighborhood, has not been released by authorities.

In addition to uncovering the major contradiction in Berkowitz' confession, the Gannett investigation of the Moskowitz/Violante shooting has found the following:

- The second sighting of Berkowitz by Mrs. Davis as

he walked by her on Bay 17th Street just before the shooting shows Berkowitz appears to have returned to the area too late to have been the gunman. A timed re-enactment put him two blocks and more than 2½ minutes from the Violante car at barely a minute before the shots were fired. Police sources have acknowledged a "three-minute" time gap at the scene.

—Moreover, Mrs. Davis' report of a neat, short-haired Berkowitz sharply contrasts with the description of the actual killer provided by the key eyewitnesses to the shooting itself, Tommy Zaimo. He describes a long-haired assailant who was also dressed in clothing other than what Mrs. Davis says Berkowitz was wearing only 70 seconds earlier. And Zaimo, the re-enactment also shows, was observing the killer standing by a park bench at about the same time Mrs. Davis was seeing Berkowitz two blocks away.

—Likewise, the blinded Violante's depiction of the man he saw in the playground before the shooting as a "grubby-looking hippie type with fairly long, very messy hair," while similar to Zaimo's description of the killer, does not match Mrs. Davis' portrayal of a short-

haired, neatly dressed Berkowitz. "How could she say he looked so neat?" Violante asks. "The guy I saw looked like a bum." Berkowitz, the reports show, was blocks away from the playground at this time, also.

—Police say that at least two witnesses reported the killer fleeing the scene in a yellow Volkswagen that was parked two blocks from the spot Berkowitz says his full-sized Ford was parked.

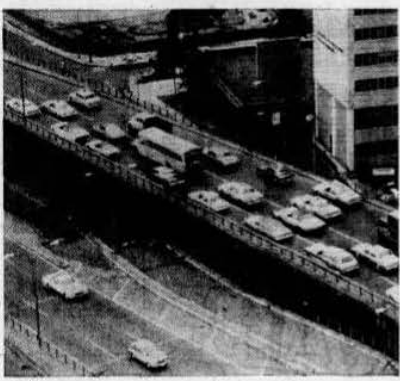
Mrs. Davis, Violante, Zaimo, detectives and official sources familiar with the case were interviewed by Gannett Westchester Newspapers as part of a continuing probe into the possibility that Berkowitz was not alone in the Son of Sam rampage. Berkowitz himself was earlier interviewed.

Based on the interviews with the principals and the timed re-enactment, the possibility of a second gunman—which had loomed at other Son of Sam shootings as well—has been raised anew at the Moskowitz murder.

During the year-long, 11-caliber rampage, police had reports of two persons, two cars or both at half of the

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W Gannett Westchester Newspapers
Thursday, July 19, 1979
THE HERALD STATESMAN
Serving Greater Yonkers
20 cents



Traffic stoppers

Taxi cabs creep along New York City's East River Drive near 34th Street Wednesday morning, snarling rush hour traffic. Cab drivers were protesting what they termed

an insufficient rate increase of 13 cents and said they needed a 50-cent surcharge because of increased gasoline prices.

Story appears on page A18.

2 suspects indicted in Bedford slayings

By R.A. LEONARD and TARA CONNELL Staff Writers

A 4-count indictment charging James Gray of Brooklyn and Jimmy Lee Allen of Plainfield, N.J., with murdering four Bedford Hills residents on May 19 was opened this morning in Westchester County Court.

Following a five-minute court session before Judge John C. Cognoni on Tuesday, the defendants were scheduled for a Tuesday court appearance and returned to jail.

In addition to murder, the indictment also charges Gray and Allen with related robbery, burglary and larceny counts including the theft of an automobile from the scene of the killings.

Both defendants are charged with possession of a 20-caliber automatic pistol with a silencer that police say was the weapon used in the robbery-murders.

Gray and Allen could be sentenced to 25 years in jail if convicted of the charges. The Tuesday session was scheduled to give the defendants time to consult attorneys. At that

time, an arraignment on the charges may be held, pleas may be entered and bail discussed. If the defendants do not have attorneys, they will be appointed by the court and another hearing scheduled.

Allen appeared angry that his attorney had not been notified in advance of the charges. He took notes during the session and demanded a copy of the indictment.

During the brief session this morning, the defendants were read their rights and the terms of the charges was explained to them.

The District Attorney's Office asked the judge to set no bail pending the Tuesday hearing.

The two suspects entered the County Court house at 9 a.m. for the hearing. Following the court session, they were returned to the Brooklyn Men's House of Detention, where they have been held on an unrelated robbery charge.

The indictment culminates 70 days of investigation by the Westchester County District Attorney's Office into the slaying of Christopher Sperry, 21, Nellie McCormack, 85, and Charles

and Heine Frankel, both 61.

Each was shot to death during the robberies of two separate homes in the secluded Rockwood Corners section of Bedford Hills on May 19.

District Attorney Carl Vergari scheduled a press conference to follow the court hearing to explain the indictments.

The grand jury voted the indictments July 11, after hearing testimony for more than a month. Sources said key testimony was delivered by Levis Moore, who was arrested May 27 with Gray and Allen for allegedly robbing at gunpoint more than 50 persons at a birthday party in Brooklyn.

The indictments followed what Vergari had called "the most intensive investigation in the history of Westchester County," involving state police, the Westchester County Sheriff's Office, New York City police, and Bedford police.

An indictment is not a verdict of guilt, it is the determination by a grand jury that a crime has been committed and that there is reasonable cause to charge a person or persons with the crime.

Jordan new chief of staff

Evaluation of Carter staff ordered

WASHINGTON (AP)—Hamilton Jordan, taking over as White House chief of staff, ordered an evaluation of top officials throughout the government while President Carter's Cabinet members waited today to learn whether their resignations would be accepted.

The only formal announcement Wednesday from the White House revealed Jordan's promotion.

It was unclear whether Carter would announce today or Friday which resignations he would accept among the 30 outstanding ones submitted earlier by his Cabinet and top White House staff.

Continuing uncertainty helped depress the dollar on international money markets.

Housing and Urban Development Secretary Patricia Roberts Harris was the center of speculation Wednesday. Sources who declined to be named said she met with Carter and Jordan at the White

House, first at 10 a.m. and again at 4 p.m.

She refused to discuss the substance of the talks with even her closest associates. Nevertheless, they were convinced that she would not be fired and, indeed, had been offered another post, probably a more desirable one.

Speculation also focused on the futures of Joseph A. Califano Jr., the secretary of health, education and welfare; Treasury Secretary W. Michael Blumenthal; Energy Secretary James R. Schlesinger; and Transportation Secretary Brock Adams.

Califano was believed to be high on Carter's hit list, according to knowledgeable HEW sources. The HEW secretary, who has close ties to traditional liberal Democrats, has feuded with Jordan from the administration's start.

At HEW, sources who declined to be named said Califano did not know whether he would be

fired, but he expected the worst. Aides to Adams and Blumenthal also expressed fear their bosses' resignations would be accepted.

From the White House to Cabinet departments to public interest groups, a rumor made the rounds that Mrs. Harris was offered Califano's job, but it was reliably learned there was no factual basis for the gossip.

And a top Schlesinger aide, who asked not to be identified, told Associated Press Radio "it is inevitable that President Carter is going to accept Secretary Schlesinger's resignation." Schlesinger told reporters he had no idea about his fate.

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HAMILTON JORDAN

No gas lines expected at end of month

By BILL FALK Staff Writer

Motorists may not have to sing the end of the month blues in July's final weeks, despite earlier expectations that there would again be a chorus of service station closing.

"That upbeat note was sounded Wednesday by gasoline industry officials, the Automobile Club of New York and others at a meeting to gasoline availability in Westchester and other parts of the metropolitan area."

Indications are they agreed that well be able to squeak through the next two weeks without a return to mammoth lines and a blurring of "No Gas" signs. But there apparently won't be much room—or gasoline—to spare.

Max Vektor, head of the New York State Association of Service Stations, was the most optimistic of the petroleum prognosticators, projecting the end of July will bring almost no noticeable change in the availability of gas.

A few weeks ago, he said, "I was worried about the last two weeks of the month and the entire last week. But now I think there'll be plenty. I don't foresee any problems at all."

Vektor, who represents 5,000 of the state's 8,000 service station owners, said many of his dealers were notified Wednesday that they would finally be getting the emergency gas supplies ordered into the area by state officials in recent weeks.

Officials of Gulf, Texaco and Mobil confirmed they would be sending new supplies to dealers within the next few days.

A Texaco spokesman, Jim Robertson, said his company was pumping more than 700,000 gallons into Westchester, Putnam and the eight other thurthest counties in the area by state officials in recent weeks.

Officials of Gulf, Texaco and Mobil confirmed they would be sending new supplies to dealers within the next few days.

In addition, Robertson said, dealers had been notified they could draw up to 5 percent of their August allocations during July's final weeks if they choose.

Mobil and Gulf spokesmen said their dealers either had received or would soon receive similar messages.—AP Photos

INSIDE

World/Nation Frank Braun refuses to let it get to him. But remembers the day well he walked among the 273 bodies after the DC-10 crash in Chicago. See World/Nation.

Education The Westchester area this year gained two women school superintendents—in Yonkers and Blythe. But there is still a long way to go, according to two recent surveys. See Education.

Science Has any real progress been made in the war against cancer? Is there reason to be optimistic about the future? See Science page.

Sports A solid wind guided home the last of the junior sailing regatta Wednesday as the 41st Larchmont Yacht Club Race Week concluded.

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Somoza allies leave; junta ready to rule

MANAGUA, Nicaragua (AP)—The Sandinista junta prepared to move into Managua today or Friday after national guard resistance melted and President Francisco Urecho and other remnants of the Somoza dictatorship fled.

Urecho resigned Wednesday evening, 30 hours after replacing ousted dictator Anastasio Somoza, and sped to the airport. His destination was not known, there was no confirmation he had left the country, and there was speculation his takeoff might have been delayed until daylight.

Other Somoza men who had fled escaped earlier fled to the airport, too, as national guard troops virtually disappeared from most of the capital. Guerrilla columns were reported headed toward Managua from rebel-held Leon. Few if any guard checkpoints were reported still along the highway.

The dictatorship's military chiefs negotiated by radio with the Sandinista guerrilla leaders in Leon, 30 miles northwest of Managua, trying to arrange terms for the surrender of the remaining troops, a reliable source with access to the conversations said.



Miracle birth

Shirley Patterson, of Barlington, the baby, which developed nearly 9 months outside her mother's womb, is too rare to estimate scientifically. Mother and baby are still in Chapel Hill. The birth of

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BERKOWITZ: The evidence says he was not alone in Brooklyn

Continued from page one

eight attacks, which left six dead and seven wounded.

At one other shooting, two girls, in whom the assailant spoke face-to-face before he pulled the gun, each described a person markedly different in appearance from Berkowitz. This, dark eyes, and—as in Brooklyn—with long, straight, parted hair.

At two other shootings there were no known witnesses.

In Westchester, the newspaper investigation has uncovered more instances of another person acting in apparent concert with Berkowitz, whom police have depicted as a friendless loner.

In total, there are at least nine reported occurrences—involving some 15 witnesses—of two persons, two cars, or of assailants whose descriptions differ from Berkowitz's at the scene of crimes Berkowitz has either confessed to committing or is suspected of committing by authorities.

And it now appears that unless the recollections of the witnesses in Brooklyn are wrong, Berkowitz was not alone at that scene, lied in a critical area of his confession and, indeed, was probably not the person who gunned down Violante and Miss Moskowitz.

One of those witnesses, Cecilia Davis, is a 3-year-old widow who lives alone with her white spitz, Snowball, in a garden apartment on Brooklyn's Bay 17th Street.

Mrs. Davis told the police not only about the ticket Berkowitz had received for parking too close to a fire hydrant but also of Berkowitz's car leaving the scene before the shooting. Mrs. Davis says she told homicide detective Joseph Strano two days after the attack that Berkowitz's Ford had been driven off before the shots were fired, in apparent pursuit of the police car that had issued the ticket.

Strano confirms hearing the story but says he didn't learn of it until after Berkowitz's arrest, when Mrs. Davis told it to an assistant district attorney in Brooklyn.

It is known, however, that the police, checking the ticket, originally sought Berkowitz as a possible witness to the Moskowitz killing—not a potential suspect. His car's departure before the shooting would provide a plausible explanation for this police action.

In any event, the information has never been made public by the police.

Mrs. Davis says she next disclosed the story to the Brooklyn District Attorney in May, 1978, nine months after Berkowitz had been arrested. She had not been interviewed by the prosecution before then.

"I always thought the police told the district attorney about it," she says. "But he (the assistant district attorney) told me he never heard it until I told him."

Steven T. Wax, a former assistant district attorney in Brooklyn and now the public defender in Broome County, says that he cannot recall the conversation but that his notes of a May, 1978, meeting with her indicate he was told of Berkowitz's driving away.

Besides contradicting Berkowitz's account, Mrs. Davis' description of Berkowitz on Bay 17th Street moments before the shooting differs substantially with the one supplied by Zaino, who says he watched the killer before, during and after the attack two blocks away on Shore Parkway.

Zaino, who was described by the police at the time as "the best eyewitness we've had," was parked with his date directly in front of Violante's car. He was about 30 feet from the gunman when he first saw him in the bright glow of an overhead street light "by a park bench looking at the cars."

Zaino says the man had long, straight hair, which was parted down the middle and on the sides covered most of his ears. He wore a light gray or white uniform-type shirt with the sleeves rolled up. The shirt tails were out of his trousers, Zaino says, and "he was definitely not wearing a jacket."

Zaino says that after watching the man through the side window of his car, he turned and next saw him in the rearview mirror, approaching the Violante auto. The gunman, he says, walked slowly to the car, pulled the 44-caliber, and fired. The bullet holes subsequently confirmed it was the same gun used in all the Son of Sam attacks and the gun Berkowitz was carrying when he was arrested in Yonkers 10 days later.

Yet, says Zaino, "I know what I saw. If it was Berkowitz, he had to be wearing a wig. If he wasn't wearing a wig then it wasn't Berkowitz."

Both the police and Berkowitz say that he never wore wigs and no wigs or traces of wig hairs were found in his possession.

Conversely, Mrs. Davis, who saw Berkowitz from a distance of about five feet barely more than a minute before the shooting, makes special note of his "short, neat, wavy hair." She also says "he was wearing a dark blue jacket with the sleeves rolled down. He had on a shiny khaki shirt with small designs, and the shirt was tucked into his pants. Just the top button of the shirt was open. He had a little mustache and he had a beard, but he looked very neat, like he might have been out on a date."

Violante, who earlier saw the "grubby-looking hippie-type with fairly long, very messy hair" in the park at the time Berkowitz was apparently away from the scene, says the man had the sleeves rolled up on either a shirt or jacket, which coincides with Zaino's description of the long-haired killer's shirt.

In between those sightings, however, Mrs. Davis encountered the "neat, short-haired" Berkowitz on foot two blocks away and specifically noticed that the sleeves of his dark blue jacket were down.

"I noticed it so much because he had something that looked metallic partially hidden up his right sleeve," she says. "I thought at first it might be a radio, but then I realized it could have been a gun."

The conflicting information from the Brooklyn witnesses and Berkowitz's abrupt departure from the scene at a time he says he was watching Violante and Miss Moskowitz on the playground swings appear to support a statement made by Berkowitz last fall, when one of these writers was with him during a four-hour interview.

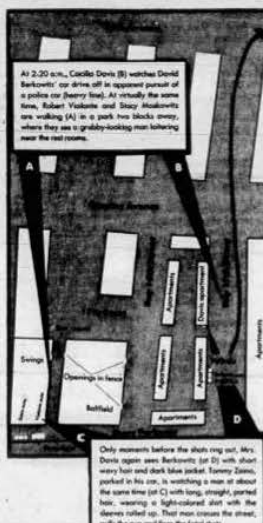
Questioned extensively during the interview about possible accomplices, Berkowitz said for the first time that others could go so far as to tell him about the 44-caliber case. "There's a good possibility of other arrests and convictions," Berkowitz said, "and I don't want that to happen." He refused to elaborate.

Similarly, in an earlier discussion with a psychiatrist of that night in Brooklyn, Berkowitz said, "We had to make a sweep, a sweep of the whole area." But he refused to amplify that statement when the doctor pressed him on the use of "we."

A source in Kings County Hospital, where Berkowitz was held before his guilty pleas, says that Berkowitz openly discussed many aspects of the Son of Sam case, but consistently refused to answer questions about the possible presence of a second person on the Brooklyn scene.

Nevertheless, statements by Berkowitz and the witnesses strengthen that likelihood. Berkowitz says he never left the scene. Mrs. Davis says he did. He says he was the man Violante says in the playground. According to the witnesses and the timing of their actions, and his, he was not that man.

According to court documents, police sources and statements made in the four-hour interview, Berkowitz says he watched the police ticket his car on Bay 17th Street, two blocks and a walk of at least two and one-half minutes from the playground and Violante car. The time



Only moments before the slaying ring out, Mrs. Davis again sees Berkowitz (D) with short, neat, wavy hair and dark blue jacket. Tommy Zaino, parked in his car (C) with long, straight, parted hair, wearing a light-colored shirt with the sleeves rolled up. Their notes concern the street, pulls the gun and fires the fatal shots.

on the ticket was 2:05 a.m. He says he waited as the policeman drove off, then watched as the policeman returned, inspected his car again and left for a second time.

After the policeman left for the second time, Berkowitz says he removed the ticket from the windshield, put it on the front seat, returned to the playground and watched Violante and Miss Moskowitz on the swings. He says he sat on a bench, watched them return to their car, and waited 10 minutes before approaching the car and shooting them. Based on a call to the 911 emergency telephone number, the time of the shooting was set at 2:35 a.m. or slightly before by Brooklyn detectives, 30 minutes after Berkowitz's car was ticketed.

Based on the witnesses' reports, Berkowitz' account of his movements is false from the time he removed the ticket from his windshield. This is the sequence of events as depicted by their accounts.

Patrolman Michael Catanio, on motor patrol with fellow officer Jeffrey Logan, has turned off Shore Parkway two blocks from the Violante auto onto Bay 17th Street, a quiet, one-way avenue of garden apartment buildings. They drive about half a block and see Berkowitz' cream-colored Ford Galaxie parked slightly behind a fire hydrant in front of 299 Bay 17th Street.

Berkowitz, probably in a courtyard between the buildings, watches as Catanio writes the ticket, placing the 2:40 time designation on it, and drives off with his partner. The policemen then check the block and return to Bay 17th Street, apparently having decided to ticket double-parked cars that are about 150 feet in front of the Berkowitz auto. But before they do so, they stop and inspect Berkowitz' car again. Berkowitz says that he saw these actions and that the policemen examined his car for "at least 10 minutes" on their second run through Bay 17th Street.

Cecilia Davis, returning from a night out with a friend, is riding in the passenger's seat as his car turns off Shore Parkway onto Bay 17th Street and slows while they look for a parking space. They think initially that they can squeeze into the spot in front of Berkowitz' Galaxie but, seeing the ticket on his windshield and the nearness of the hydrant, they continue up the block and triple-park in front of Mrs. Davis' apartment, blocking the road. Their car is now between Berkowitz' Galaxie and the police car, which has moved up the street.

While they talk, Mrs. Davis is aware that their car is blocking the road and she keeps an eye on the street behind them. She sees a young man emerge from a courtyard, lean across the Ford's windshield and, like any motorist preparing to drive off, remove the parking ticket. The man opens the driver's door and leans on it, watching intently as Patrolman Catanio writes the second and third tickets for cars on the block that night. Catanio climbs back into his cruiser.

Mrs. Davis, meanwhile, has invited her companion into the apartment for coffee. He declines, looking at his watch and pointing out that it is already 2:28 a.m.

As the policemen start to drive off, the young man enters his car and drives up quickly behind the car in which Mrs. Davis is sitting. He blares his horn to get by. Mrs. Davis gets out and walks between her friend's car and the Ford. Her friend drives away and Mrs. Davis stands there, looking at the profile of the young driver as he drives off after the police cruiser. The Galaxie follows the policemen across Cropsy Avenue, up Bay 17th Street to Bath Avenue, where both vehicles turn right. Mrs. Davis enters her apartment.

At about this same time but two blocks away, Stacy Moskowitz and Robert Violante cross the Belt Parkway on a footbridge after a walk along the waters of Gravesend Bay. They enter the neighborhood park walking a path that separates a ballfield and a small playground. Leaving against a rest room building to the end of the path is a young man Violante now describes as a "wired, grubby-looking hippie type. His hair was all matted up—not down to his shoulders like a hippie's bushy long hair and real messy. He was wearing either a jacket or shirt with a T-shirt underneath. His sleeves were rolled up. It was dark. Two of the park's lights were out and he was in the shadows."

"Stacy was nervous about seeing the guy and she was concerned about the Son of Sam thing, and so was I," Violante recalls.

He and Miss Moskowitz nevertheless enter the playground and ride on the swings "for about five minutes, have driven off." Davis begins her walk on Shore Parkway at about 2:25, a time Zaino, who saw them, concurs with.

Mrs. Davis, meanwhile, has leashed Snowball in the apartment and prepares to take him for a walk. Because neighbors' guests are leaving and the dog sometimes barks at strangers, she delays her exit. When the guests have driven off, Davis begins her walk. It takes her down Bay 17th, where she notices the varnished parking space near the hydrant, to Shore Parkway and right

along Shore Parkway to the overpass under minutes earlier by Violante and Miss Moskowitz.

At the overpass, Mrs. Davis unbuckles the dog and lets him scamper in the grass for a short time before releasing him and heading for home. The round-trip walk with the dog, estimated to have begun at 2:22 to 2:23, takes a minimum of 10 minutes.

About 2:33 a.m.

Back in front of her apartment, Mrs. Davis finds her dog wants to walk some more so she reverses her direction, heading back on Bay 17th Street toward Shore Parkway. About 100 feet from her apartment she sees a familiar-looking young man "leaping the curb" and emerging from behind a tree onto the sidewalk, as if coming from the opposite side of the street, the side farthest from the playground. Berkowitz was apparently just returning from following the police car. She thinks he may be the young man whose auto had been ticketed.

Mrs. Davis sees the young man wearing a dark blue jacket, opened, with the sleeves rolled down. He has "neat, short, wavy hair." His right arm held stiffly at his side, he passes within five feet of Mrs. Davis, and turns left into a courtyard. From the rear Mrs. Davis sees something "metallic" up his right sleeve, a radio, a crowbar, perhaps a gun. "I got a little frightened and turned back to the bench."

Mrs. Davis returns to her apartment, unbuckles the dog, sits at her dining room table and opens a tabloid newspaper. She hears the gunshots and a car lurch as Violante collapses onto the steering wheel.

When Mrs. Davis re-enacted her movements from the moment she saw Berkowitz for the last time until she heard the shots, a stopwatch clocked her at one minute and 10 seconds. "She barely got inside the door," says Detective Strano. That timing suggests that Berkowitz had insufficient time to reach the shooting site let alone change his appearance.

While Mrs. Davis is still apparently on the street, Tommy Zaino is parked in his Corvete on Shore Parkway directly in front of Violante's car. At a break pace, the walk takes at least two and one-half minutes from the spot where Mrs. Davis saw the short-haired Berkowitz in a dark blue jacket and khaki shirt tucked into his trousers. Talking with his date, he looks past her, to the edge of the park, where he sees a man with long, straight, parted hair. The man is dressed in a light gray or white uniform-style shirt, sleeves rolled up, 44-gauge hanging out over denim trousers.

"I thought he might be just someone out with a dog or something. He stood there looking at the cars, and then up and down the street. I got a good look at him. There was a lot of light."

Zaino says that after turning away from his observations of the cars, he looked into his rearview mirror and saw the man walk slowly across Shore Parkway toward Violante's car, pull the gun from beneath his shirt, crouch and fire. The killer, says Zaino, then "ran like hell into the park and disappeared. I never saw a guy run that fast."

At the opposite side of the park at least two witnesses see a man enter a yellow Volkswagen and flee the scene. Berkowitz's white Ford, with black vinyl roof, is parked two blocks in another direction.

After the fatal shots were fired, rousing a woman from sleep nearby, she woke her husband, expressed a fear that Son of Sam had struck again, and then dialed the police emergency 911 number.

When the call was answered, a computer assigned the time. It was 2:38 a.m.

During the week after the shooting, police apparently tried to balance Zaino's description of the long-haired killer with Mrs. Davis' description of the man on Bay 17 Street. "I told them the man I saw had a belly, and was heavy in front," she says. "They told me he looked that way because he stuffed the wig in his shirt."

Then Chief of Detectives John Keenan said he believed Son of Sam had been wearing wigs all the long.

But after Berkowitz' arrest, when it was determined no wigs were worn, Zaino says the police suggested to him that "maybe Berkowitz doused his head with water to make his hair look long and straight."

The timed re-enactment shows that if Mrs. Davis began her walk at a couple of minutes after 2:30 a.m.—and her recollections, the parking ticket, all the actions of the principals, and her companion's watch support the likelihood that she did—then she could not have crossed paths with Berkowitz on foot before 2:32 or 2:33 at the earliest, given the distance walked and her letting the dog loose for a short time. In fact, a later time would be more likely.

Whatever the case, Berkowitz, based on the re-enactment, would not have had time to travel the distance to the playground, remove his jacket, take his shirt out of his trousers, roll up his sleeves, don a non-existent wig, and stand looking at the cars "for a short period of time" before then approaching the Violante car to fire the shots at 2:35 or slightly before, or 30 seconds after Mrs. Davis saw him two blocks and more than 2½ minutes away.

This is in addition to his leaving the scene when he said he did not. Mrs. Davis says, and also being away from the area at the same time he says he was the man Violante saw in the playground at about 2:30 a.m.

Several police sources in New York City, who asked that their names be withheld, concede that Berkowitz may not have been alone at the Moskowitz murder and that they "cannot realistically explain or answer" the number of contradictions surrounding the events of that night, according to one investigator.

"He could have been the lookout," said one homicide detective, whose theory was supported by two other homicide officers. "He may have been hanging out between the buildings on Bay 17 and saw the cops come back twice and figured he'd follow to make sure they cleared the area and wouldn't come back a third time. Then he came back and signaled the guy in the park who did the hit," he detecting officer. "I find it tough to believe he'd be banging his horn and following cop cars if he had that in his possession. He wasn't worried about calling attention to himself."

The Gannett investigation of the Son of Sam case is continuing.

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CLIFTON, N.J. 555 Park Avenue at Plaza (201) 744-1000
State Parkway, Phone (201) 548-3000
CINCINNATI 2240 Ohio 130 Location, 715 South College and Tremons