

# Accomplice theory part of 'Sam' prober's defense

By RICHARD T. PIEN-  
CIAK

**Associated Press Writer**  
NEW YORK (AP) — A police detective's theory that David Berkowitz had help as the "son of Sam" will be part of his defense today at a disciplinary trial on charges he acted improperly while investigating his hypothesis.

The theory of Detective

Henry Cioffi, a 37-year veteran who faces dismissal from the force, prompted his supporters last year to authorize a "discreet and confidential investigation" into the possibility that Berkowitz had helpers in killing and injuring seven victims.

There is no question the Police Department's inquiry thought enough of Cioffi's ideas last August to

authorize the probe, but evidence produced at the trial, conducted informally since mid-May, has served to discredit the accomplice theory.

In ending the three-month probe late last year, department superiors remained adamant that Berkowitz acted alone, maintaining that the origin for Cioffi's theory was a Queens woman whose unshaken religious practices defied headlines in the 1970s when she claimed the fre-

quently had visions of the Virgin Mary.

Shortly thereafter, Cioffi was charged with numerous violations of departmental regulations. The department ended its case Tuesday, the previous session.

Defense attorney Charles Simpson maintains Cioffi is the victim of a cover-up. "My client is here solely for trying to do his job, which if he was allowed to do, might have been damaging to the department," he alleged one day in court.

But the department contends that Cioffi's chief informant in building the theory was Veronica Laeken, a nun at the Roman Catholic Church called a "sister" in 1975.

It is further alleged that Cioffi refused to reveal the identity of his informant not to protect her, but because he "knew that if the source of his information was revealed, there would be serious questions as to the credibility and reliability of this information."

Workshops from across the country flocked to Mrs. Laeken's weekly prayer meetings, held outside a church in the Bayside Hills section of Queens until Mrs. Laeken's confessional information, that he took an unauthorized trip to Miami, N.D., as part of his probe, and that while there he interrogated witnesses in Terry's presence.

Terry and a writer colleague, Jim Mittleger, wrote a series of articles published last year in the Ganett, Westchester Rockland Newspapers, including the Journal News, about the conspiracy theory.

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The man Mrs. Laeken suspected of possibly being involved in the Son of Sam

killings — named in numerous internal Police Department documents obtained by The Associated Press but not named here because he has never been accused — also has been the subject of attention from the Queens investigators, sources said.

Some of the interest in the conspiracy theory stems from speculation that Berkowitz, who is now serving a 30-year term at Attica State Correctional Facility, knew either or both of Sam Carr's two sons — speculation fueled by the fact that both are now dead.

Sam Carr was Berkowitz's neighbor in Yonkers, an elderly man whom the killer claimed had threatened him to kill to satisfy blood-thirsty demons — thus

the term Son of Sam. In February 1975 — six months after Berkowitz's arrest — John Carr died in Miami of gunshot wounds, possibly self-inflicted.

His brother, Michael, drove his car off the West Side Highway in October 1979 in the midst of the Police Department probe. Investigators say his body contained a high level of alcohol.

In investigating Cioffi's theories, one of the things a superior recommended staying was whether John Carr actually knew Berkowitz, a confidential Police Department memo discloses.

A secret department memo used as a trial exhibit shows that Cioffi's Aug. 10,

1979 request to conduct an investigation of the accomplice theory was based on Mrs. Laeken's information that Berkowitz was seen in Queens County shortly before his arrest, in the company of a man whom Mrs. Laeken alleged was active in occult activity — the man she suspected was an accomplice.

There also were reports that John Carr knew the alleged occult activist, as well as Berkowitz.

The question of whether the Laeken suspect had been in Miami had become an issue crucial to the investigation which was considered to be highly confidential, according to confidential Police Department documents.

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## OBITUARIES

**James H. Proper, retired auditor**

James H. Proper, 77, a retired auditor for the Metropolitan Life Insurance Co. died Thursday of natural causes at Sunset Park Hospital in Pomona.

He was born in Brooklyn and was an Upper Nyack resident for 30 years, living at 316 N. Broadway. Mr. Proper retired from Metropolitan Life in 1967.

Survivors include his wife, Mary Hattaway Proper, a son, John, and a daughter, Betsey, all of the home address.

Services and burial will be private.

Arrangements are being handled by the Hugh E. White Funeral Home, 43 S. Broadway, Nyack.

Memorial donations may be sent to the Nyack Community Ambulance Corps.

**Florence McClood, former resident**

Services will be held Saturday for former Suffern resident Florence McClood, 72, who died Wednesday of natural causes at Harkon Hill Hospital in Goshen.

Mrs. McClood was born in Cornwall and had been a resident of Goshen for 12 years. She lived on Hill Road.

She was a retired cook for the Pinehurst Nursing Home, Tallman, and had also been a New York Telephone Co. operator.

Surviving are her husband, Howard J., a son, G. Crawford of Goshen, two daughters, Charlotte Wright of Suffern and Myrtle Turner of Goshen, and three grandchildren.

The Saturday services will be held at 10 a.m. at the Wanamaker and Carrough Funeral Home, Route 59, Suffern. Interment will follow at Brick Church Cemetery in Spring Valley.

Visiting hours at the funeral home are today from 2 to 4 and 7 to 9 p.m. Memorial contributions

may be sent to the Goshen Volunteer Ambulance Corps.

**Ruth Heller, county resident**

Services will be held Saturday for Ruth Heller, a Spring Valley resident who died Wednesday of natural causes at Good Samaritan Hospital in Suffern. She was 75.

Born in Jersey City, N.J., she lived most of her life in Long Island before moving to Spring Valley six years ago. She resided at 15 Caramount Drive.

She is survived by her husband, Bernard, of the home address and several nieces and nephews.

Funeral services of Christian burial will be held Saturday at 10 a.m. at St. Joseph's Church in Spring Valley. Burial will be at Rockland Cemetery in Sparkill. Visiting hours at the Stoffen Funeral Home, Route 59, Spring Valley, are tonight from 7 to 9 p.m.

**Vincent J. Margro, ex-hotel worker**

Vincent J. Margro, 91, head of a large family born mainly in New City, died Thursday of natural causes at Nyack Hospital.

Born in Italy, Mr. Margro came to the United States more than 70 years ago and had lived in New City since 1904. At the time of his death, he resided at 32 Badger St.

Mr. Margro was a retired hotel attendant at the Fifth Avenue Hotel in Manhattan. Surviving are seven sons, Louis, Anthony, Arthur and Vincent, Jr., all of New City, Gerard of Hollywood, Fla., Charles of Edison, N.J., and Alfred of New Hampshire; three daughters, Marie Quai and Antonette Lea, both of New City, and Lucille Hapeleye of Mossey, 20 grandchildren, and 11 great-grandchildren.

The Mass of Christian Burial will be offered at 10 a.m. Monday at St. Augustine's Roman Catholic Church, New City. Interment will follow at St. Anthony's Cemetery, Nyack.

Visiting will be at the Higgins Funeral Home, 321 S. Main St., New City, today from 7 to 10 p.m. and Saturday and Sunday from 2 to 4 and 7 to 10 p.m.

## Egg ends up on face of physician

NEW YORK (UPI) — A doctor who pelted Mayor Edward Koch with an egg and punched him in the face was ordered Thursday to spend 30 days in jail and pay a \$1,000 fine.

Criminal Court Judge Patrick McGinley said he imposed the sentence on Dr. Nayvin Gordon, 31, because Gordon committed an "intolerable act" that was especially "unbecomingly" for a physician.

Later, Gordon went before Manhattan Supreme Court Justice Eve Freemaninger who stayed the sentence pending appeal and fixed bail at \$5,000.

Gordon, who is from San Diego, Calif., said he was still angry at — Koch the racist manner — because of the mayor's proposal to close several municipal hospitals.

At City Hall, Koch said McGinley's decision "was an appropriate response and I do not quarrel with it."

McGinley, sitting in Manhattan, told Gordon he will be sentenced in another 30 days in jail if his fine is not paid by July 2. Defense lawyers plan to appeal but Gordon began serving the 30-day sentence immediately.

Moments after the judge passed sentence, about 20 of Gordon's supporters jumped to their feet in the crowded courtroom and started shouting. "Koch is Koch should be inside, we charge you with genocide."

Prosecutor John Fried called Gordon a "skilled and talented physician" who provided quality medical care to those who can least afford it. He said Gordon wanted to bring public attention to the proposed hospital closings.

In doing so, the prosecutor said, Gordon "sought to intimidate, not only Mr. Koch, but other public officials who dared to take positions different from his own."

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Program: The Rockland Players featuring: Families in the 80's New Members Welcome.

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The fourth in a series of seminars being offered at the law offices of **KANTROWITZ & GOLDHAMER** Tuesday, June 17, 1980 at 8 P.M.  
Among subjects to be covered:  
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**DEATH NOTICES**  
CAPALBO, Augustina, suddenly on June 4, 1980. Burial at the Hill, Rockland, N.Y. ...  
PROPER, James H., 77, died Thursday, June 5, 1980. Burial at Sunset Park Hospital, Pomona, N.Y. ...  
ROSEN, Arthur, beloved brother of Mrs. Rose, died Sunday, June 7, 1980. Burial at St. Joseph's Cemetery, Suffern, N.Y. ...

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