From:

Sent: Friday, December 31, 2021 9:24 PM
To: Foil <Foil@westchesterda.net
Subject: FOIL Request - David Berkowitz (Son of Sam)</pre>

Importance: High

Westchester County District Attorney's Office 111 Dr. Martin Luther King, Jr. Blvd. White Plains, NY 10601

Records Access Officer,

On or about August 29, 1977 the City of Yonkers Police Department provided Westchester County Assistant District Attorney Carl Falcone with ALL reports and files pertaining to the criminal investigation of David Berkowitz (a/k/a Son of Sam). This transfer of reports and files is documented by the attached City of Yonkers Police Bureau Supplemental Detective Report #4520N, Serial #43609, dated August 29, 1977.

In addition to the reports covered in the August 29, 1977 records transfer between the City of Yonkers and the Westchester County DA's Office, I request a copy of ALL records in the possession, custody or control of the Westchester County District Attorney's Office, (including but not limited to the Westchester County District Attorney's Office, it's investigatory units, and past or present officials of the Westchester County District Attorney's Office) of ALL investigative activities and reports regarding murders committed by David Berkowitz (a/k/a Son of Sam), as well as, investigative activities of any possible co-conspirators for murder. This request includes, but is not limited to, correspondence with law enforcement agencies and/or district attorneys' offices outside Westchester County (including the City of Yonkers, New York City and the City of Minot, North Dakota), regarding the investigation, arrest and prosecution of David Berkowitz or possible coconspirators.

Thank you.



From:	Kim Jeffrey
To:	
Subject:	RE: FOIL Request - David Berkowitz (Son of Sam)
Date:	Wednesday, January 12, 2022 2:22:49 PM
Attachments:	David Berkowitz.pdf

Dear Mr. :

I am writing to you regarding your request for records regarding David Berkowitz (a/k/a Son of Sam). After a thorough search, attached please find all records located in our file.

Very truly yours,

Kim Jeffrey | Records Access Officer

Westchester County District Attorney's Office 111 Dr. Martin Luther King, Jr. Blvd., White Plains, NY 10601 kjeffrey@WestchesterDA.net | FOIL@WestchesterDA.net www.WestchesterDA.net

From: jjcphd67@gmail.com <jjcphd67@gmail.com>
Sent: Monday, January 10, 2022 2:31 PM
To: Kim Jeffrey <KJeffrey@westchesterda.net>
Subject: RE: FOIL Request - David Berkowitz (Son of Sam)

Thank you, Ms. Jeffrey. I appreciate your efforts to respond to my request as soon as possible.

From: Kim Jeffrey <<u>KJeffrey@westchesterda.net</u>>
Sent: Monday, January 10, 2022 12:58 PM

Subject: RE: FOIL Request - David Berkowitz (Son of Sam)

Dear Dr.

To:

I am writing you to acknowledge receipt of your request pursuant to the Freedom of Information Law (FOIL) (Public Officer's Law, Article 6). In light of events relating to COVID, the turnaround time for responding to FOIL requests is taking longer than normal. However, to the extent practicable, we are endeavoring to respond to all FOIL requests as expeditiously as possible.

Very truly yours,

Kim Jeffrey | Records Access Officer

Westchester County District Attorney's Office 111 Dr. Martin Luther King, Jr. Blvd., White Plains, NY 10601 kjeffrey@WestchesterDA.net | FOIL@WestchesterDA.net

DISTRICT ATTORNEY'S OFFICE

OFFICE MEMORANDUM

DATE: August 16, 1977

TO: LAWRENCE L. MAFFEI - GRAND JURY BUREAU

FROM: JOHN G. FALUSSY

RE: PEOPLE V. DAVID BERKOWITZ A/K/A SON OF SAM

Attached please find detective report regarding the execution of a search warrant at 35 Pine Street involving the above named.

As you are aware, a .44 calibre Charter Arms Bulldog revolver, which was fully loaded, was recovered in the front seat of the defendant's vehicle along with a fully loaded machine gun (I believe this is really a .22 and not a machine gun).

Pursuant to C.A.V., I am forwarding this report to you so that you may present this matter to the Grand Jury. Please note the defendant was booked on these charges in Yonkers but no formal complaint was ever filed. I have asked the Yonkers Detective Division to forward to you a certified copy of the ballistics report. I suggest that you contact Detective Sgt. Donald Christopher to assist you in presenting this case to the Grand Jury.

JGF:am Enc.

JOHN G. FÁLUSSY

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Z	Do Not F	es or Roll this Report		ILE COPY
				DATE OF THIS REPORT August 10, 1977
POLICE DEPARTMENT CITY OF YONKERS, N.Y.	DETECTI	VE REPORT	DD-1	DETECTIVE DIVISION NO. 4520-N
CRIME CLASSIFICATION	r Executed (F.O.A.)			SERIAL NUMBER 43,609
NAME OF PERSON ARRESTED		ALIAS		ALARM NUMBER
DAVID BERKOWITZ			SEX RACE M W	NATIVITY DATE OF BIRT
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ADDITIONAL INFORMATION AND DETAILED REPORT

August 10, 1977

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

Detectives Zigo and Longo were informed that this Department was conducting two investigations: No. 1 - Investigation of threatening letters received by one Samuel Carr of 316 Warburton Avenue; the first being issued on April 21, 1977, DD#: 2144-N - C&R#: 20,292, and the second investigation being a suspected arson, the complainant being one Craig Glassman of 35 Pine Street, which occurred on August 6, 1977, DD#: 4422-N - C&R#: 42,723.

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

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

Signature of Detective:_____ Signature of Desk Officer: Signature of Detective:

WARRANT EXECUTED (F.O.A.)	POLICE BUREAU CITY OF YONKERS, N. Y.	DETECTIVE DIVISION NUMBER 4520-N
ERETOFORE THIS CASE WAS CLASSIFIED AS FOLLOWS:	SUPPLEMENTARY	SERIAL NUMBER 43,609
ATE	DETECTIVE REPORT	DATE OF THIS REPORT August 10, 1977
AME OF COMPLAINANT BERKOWITZ, DAVID		
DDRESS OF COMPLAINANT 35 Pine Street, A	ot. , Yonkers, N.Y.	
Each complaint, investigation, or missing person case in w action, shall be made the subject of a supplementary report. The Detective Division number and the serial number shall	t. When final action has been noted on o	original complaint report no supplementary report i

The assigned along with Det. Zigo and Shilensky, proceeded to the home of City Court Judge Robert W. Cacace where after reading the application of the two search warrants, he endorsed same.

The assigned along with said Detectives returned to 35 Pine Street, where David Berkowitz' vehicle was then searched. On the front seat, in a brown paper bag and wrapped in plastic a .44 caliber(Chart Arms Bulldog) revolver which was fully loaded was found. In the rear seat, a .45 caliber machine gun and several clips which were fully loaded with .45 caliber ammunition were found in a khaki colored gun sack. Letters and items of clothing were also found and all of which became the property of the New York City Police Department.

The assigned then proceeded to Apt. of 35 Pine Street, and entered with the key which was taken from David Berkowitz and entered the apartment, at which time, New York City Police Officers conducted a search and found one rifle, a shotgun, and boxes of amunition. There were numerous writings on the wall along with personal papers apparently belonging to David Berkowitz which showed hatred for Sam Carr and Craig Glassman.

New York City Forensic Technician under the direction of Lt. Luisi responded to the place of occurrence and processed both the vehicle and the apartment and all evidence was handled by them. The apartment was secured by Det. Thomas Dugan and Andrew Cavallo of this Department, and the keys were left at the Detective Division.

David Berkowitz' vehicle, a 1974 Ford, was driven to the New York City Police Department Headquarters by Det. John Longo.

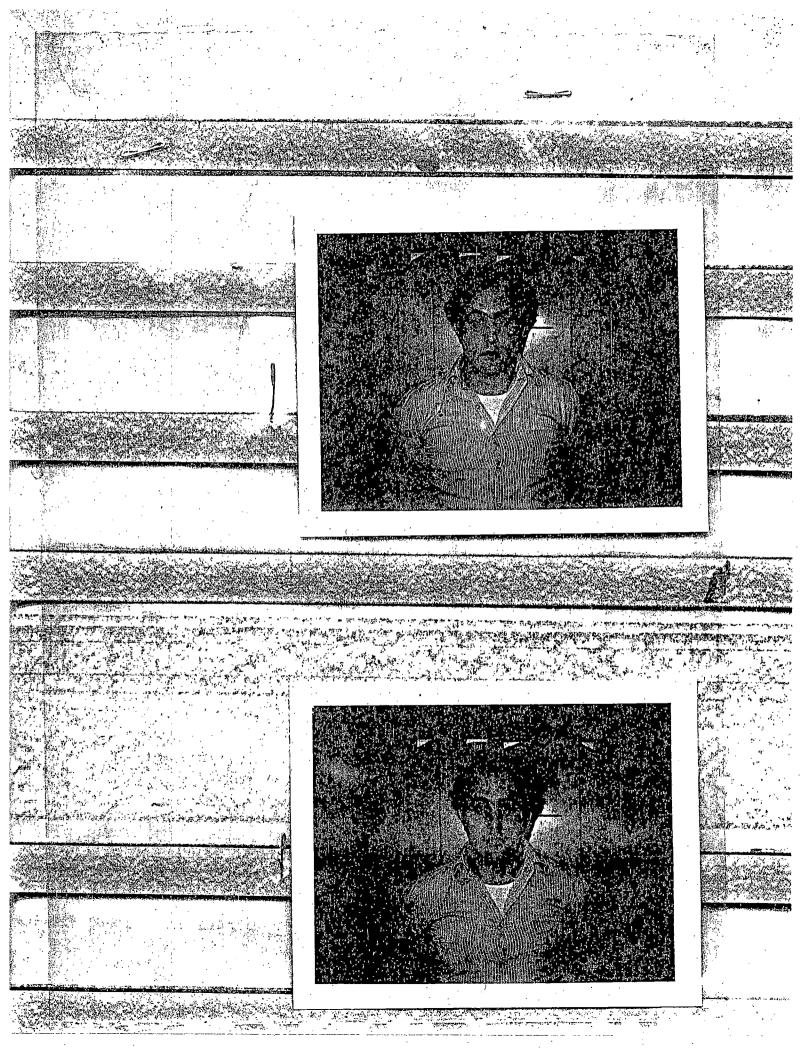
David Berkowitz was booked at the Detective Division by Det. Sgt. Frank Fernandes for Criminal Possession of a Weapon and turned over to the New York City authorities.

A copy of the search warrant are attached to this report.

All necessary teletype alarms will be transmitted by New York City Police Department.

Chief Polsen, Deputy Chief Stampur, Capt. Jones, Lt. Nasce, also present during this investigation.

Det. Joseph Surlák #642 Det. Anthony Cerasi #681 Det. Sgt. Frank Fernandes #40



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

1.1

IN THE MATTER OF

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

AND THE PREMISES: 35 Pine street Apartment

Yonkers, New York

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

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

TO ANY PEACE OFFICER IN THE CITY OF YONKERS

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

property hereinafter described L. A long firearm of a type which is capable of being automatically fired 2. Amuniation for said firearm

 .44 Calibre Revolver, "Bulldog" model
 Amminiation for said revolver
 Handwriting Samples
 Fingerprints and palmprints possession of which is a crime, which constitutes evidence of a crime, and which is used as the means of committing a crime will be found in a certain premises and on the person of certain individuals.

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

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

DAVID R. BERKOWITZ

and the premises:

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

for the following property: I.A long firearm of a type which is capable of being automatically fired

- Ammuniation for said firearm
 .44 Calibre Revolver "Bulldog" model
- 4. Ammiation for said revolver
- 5. Handwriting samples
- 6. Fingerprints and palmprints

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

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

Dated: City of Yonkers, New York

August 10, 1977

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

(U. F. 81)

COURT OF SPECIAL SESSIONS STATE OF NEW YORK, County of Westchester, City of Yonkers,

IN THE MATTER OF

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

AND THE PREMISES: 35 Pine Street Apartment

, Yonkers, New York

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

STATE OF NEW YORK, County of Westchester, City of Yonkers,

1. I am a Detective in the New York City Police Department, and am a public servant of a type described in C.P.L. Section 690.05.

2. I have information based upon the following:

On August 1st, 1977 I was assigned to investigate a shooting incident which took place on July 31st, 1977 in the County of Kings, City and State of New York, in which one Stacey Moskowitz was killed and one Robert Violante was shot, as a result of which he lost sight in both eyes.

B. I have examined the files of the New York City Police Department regarding this shooting as well as twelve other shooting incidents which have taken place in the City of New York since 1976. As a result of these shooting incidents, including the one on July 31st, 1977, six people have been killed and seven other persons wounded by gun shot. Based on my examination of the files of the New York City Police Department, and other information it is my belief that all of these shootings were perpetrated by the same individual. This individual has become known as the "44 calibre Killer" or "the son of Sam". This perpetrator is described as a male, white, 25 to 32 years of age, 5'8"- 5'9" tall, 165-175 pounds, Clean shaven, dark eyes, dark hair, high cheek bones. In all of the above shooting incidents a firearm of .44 calibre was used. It is believed to be the "bulldog" model .44 calibre revolver. A copy of a composite photo which was prepared and circulated by the New York City Police Department is annexed hereto as "Exhibit A".

C. Your deponent in the course of investigation of the above described shooting incident which occurred in Brooklyn, New York, was informed by Detective Edward O'Sullivan Shield No. 646, Brooklyn Robbery Squad that a check of the records of the New York City POlice Department records reveal that at 2:05 A.M. on July 31, 1977, summons No. 749069532 was issued to a Yellow Ford, Blk Top, Registration in New York State, No.561-XLB. This summons was issued in the "200" block of Bay 17th Street, Brooklyn, New York. This is a few blocks away from the scene of the shooting incident which took place on July 31st, 1977 at approximately 2:45 A.M.

D.

Η.

Your deponent cause a check of the New York Registration 561-XLB to be made. New York State Motor Vehicle Bureau computer reveals that this registration plate is registered to David R. Berkowitz, Date of Birth: June 1, 1953, at 35 Pine Street Yonkers, New York. The vehicle is described as a 1970 Ford, Yellow Sedan.

E. Your deponent was present at the Yonkers Police Head-Quarters and on August 10th, 1977 had conversations with various members of the Yonkers Police Department, and Mr. Craig Glassman, Deputy Sheriff-Investigator Westchester County. Your deponent was informed by these individuals whose identity is known to your deponent, that David R. Berkowitz is a"Male, White, in his 20's, about 5'10"-6', approximately 170 pounds, brown hair."

At 4:00P.M. on August 10, 1977, your deponent was present on Pine Street in Yonkers, New York and at that time observed a vehicle parked at the curb. Said vehicle was a 1970 Yellow 4 door Ford Sedan, with a Black vinyl top, with New York Registration plates 561-XLB affixed to it. Your deponent looked into said vehicle and observed a duffle-bag on the rear seat. Protruding from the duffle-bag was part of what appeared to be part of a rifle, possibly of a type, possession of which is illegal in New York State, (Article 265. New York State Penal Law). Your deponent further observed that the left rear door of said vehicle was open and further inspection of the firearm revealed that it appeared to be of a type which fires bullets automatically with a single pull of the trigger. Said weapon constitutes a machine gun under New York State law and possession thereof is a class C Felony under Section 265.03 New York State Penal Law.

In addition to the above, your deponent observed a white envelope which had printed on it "Attention Suffolk County-NYPD and the press". Said lettering on the envelope appeared to your deponent to be the same as that on two notes which delivered to a member of the press and which "take credit for" the shooting which are hereinabove described.

Your deponent further states that on August 10th, 1977 at approximately 8:00 P.M. he was present at No. 35 Pine Street Yonkers, New York, and at that time observed a doorbell, located in the lobby of said address, and a printed label bore the Legend "D. Berkowitz" and also bore the apartment " '. Your deponent is further informed by Mr. Glassman that Mr. Berkowitz resides in apartment of 35 Pine Street Yonkers, New York. Mr. Glassman has this knowledge because he also resides in said building.

 Your deponent further checked a telephone directory for the County of Westchester and it revealed that Mr. Berkowitz resides at 35 Pine Street Yonkers, New York and has listed to him telephone No.

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

A. .44 Calibre Revolver, "Bulldog" model

B. Ammuniation for said firearm

C. Handwriting samples

D. Documents, Writings and other records such as telephone

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

Fingerprints and Palmprints,

Ε.

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

Page 3

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

A. A Long firearm, of a type which is capable of being automatically fired,

B. Ammuniation for said firearm

C. .44 Calibre Revolver, "Bulldog" model

D. Ammuniation for said revolver

E. Handwriting samples

F. Fingerprints and palmprints

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

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

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

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

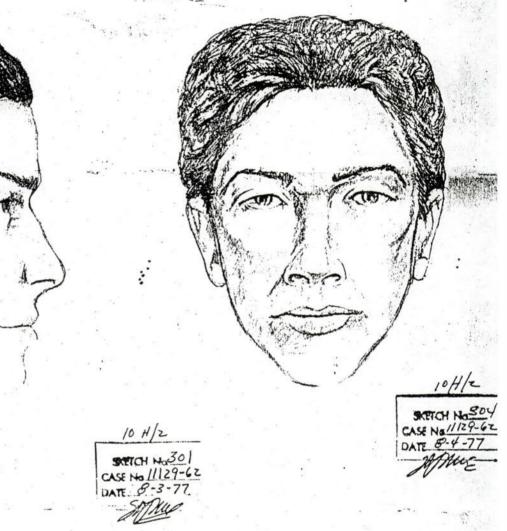
> Det. Edward Zigo Shield No. 2419 10th Homicide Zone- N.Y.C.P.D.

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

City Judge, City of Yonkers, New York

POLICE DEPARTMENT

CITY OF NEW YORK



THE ABOVE IS A SKETCH OF A SUSPECT SOUGHT FOR MURDER OF A FEMALE IN THE 62 PRECINCT, 0245 HOURS, JULY 31, 1977. THE SKETCH IS BASED ON DESCRIPTION SUPPLIED BY WITNESS.

DESCRIPTION	MALE, WHITE, 25 TO 32 YEARS OLD, 5'8" - 5'9"	
	165-175 LBS, GOOD ATHLETIC TYPE BUILD, CLEAN	
	SHAVEN, DARK ALMOND SHAPED EYES, DARK WAVEY	
p_{i}	HAIR, SENSUOUS MOUTH, HIGH CHEEK BONES.	
CLOTHES:	JACKET - BLUE DENIM	
	PANTS - MATCHING BLUE DENIM, SLIGHTLY FLARED	
	SHIRT - BLUISH GREY QUIANA WITH SMALL KIDNEY	
1	SHAPED DESIGN SPACED THREE INCHES APART.	
	SHOES - BLUE DENIM DECK SHOES WITH NARROW	
	WHITE BAND.	
NOTIEV THE C	DECIAL HOMICIDE TASK FORCE AT THE 100TH DEFONCT	

NOTIFY THE SPECIAL HOMICIDE TASK FORCE AT THE 109TH PRECINCT WITH ANY INFORMATION ON THE ABOVE SUSPECT. TELEPHONE #961-9613, 961-9600. UF 61#11129, 62ND PRECINCT.

PHOTOGRAPHIC SECTION 182 CIRCULAR NO. DATE PREPARED 8-9-77

POLICE DEPARTMENT

LIMITED TO DEPARTMENT CIRCULATION 77-315 PHOTO NO.

CITY OF NEW YORK

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