

From: [FOIL-PS](#)
To: [REDACTED]
Cc: [Mc Guinness, William](#)
Subject: Re: Foil Request 195-21
Date: Tuesday, August 17, 2021 10:21:07 AM

Re: Westchester County Department of Public Safety F.O.I.L. request # 2021-195

Mr. [REDACTED]:

This letter acknowledges receipt of your FOIL request for **Any investigation reports or documents relating to the murders perpetrated by David Berkowitz (“Son of Sam”), former resident of 35 Pine Street, Yonkers, NY - specifically, any written report or presentation, or investigatory documents detailing with the David Berkowitz (“Son of Sam”) murders, including any potential co-conspirators or groups that were not apprehended along with Mr. Berkowitz in or after August of 1977 - co-conspirators which may still be at large .**

I have reviewed your FOIL request in accordance with *Article 6, § 84 et seq. of the New York Public Officers Law and Act No. 56-1989 of Westchester County*. Your request can not be fulfilled and I certify that, after a diligent search, no records responsive to your request are in the possession of the Westchester County Department of Public Safety (Westchester County police).

Please note that this response is limited to records maintained by the Westchester County Police, and does not include records that may be in the possession of other Westchester County Departments or any other police agencies within this county.

You may appeal this decision within 30 days of this letter by furnishing a copy of your request to the Westchester County Attorney, Mr. John M. Nonna, Room 600, Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601. FOIL-Appeals@westchestergov.com

If you have any other questions, please contact the undersigned at (914) 864-7676.

Sgt. Jose Calero
Westchester County Police/Records Unit
1 Saw Mill River Parkway
Hawthorne, NY 10532
jacj@westchestergov.com

From: [REDACTED]

August 15, 2021

Mr. George Latimer
County Executive
Westchester County

Mr. Ken Jenkins
Deputy County Executive
Westchester County

Mr. Thomas A. Gleason
Public Safety Commissioner
Westchester County

Mr. Chris Gratzel
Archives and Records
Westchester County

Re: FOIL Request

To whom it may concern:

On **June 20, 2021**, I filed a request (via FOIL-PS@westchestergov.com) under the Freedom of Information Act for records relating to the following (request attached):

To the Westchester County Sheriff's Office. Any investigation reports or documents relating to the murders perpetrated by David Berkowitz ("Son of Sam"), former resident of 35 Pine Street, Yonkers, NY - specifically, any written report or presentation, or investigatory documents detailing with the David Berkowitz ("Son of Sam") murders, including any potential co-conspirators or groups that were not apprehended along with Mr. Berkowitz in or after August of 1977 - co-conspirators which may still be at large. A FOIA request has already been made to the Yonkers Police Department. This should be treated as a separate and distinct request made to the Westchester County Sheriff's Office.

My request was assigned the following identification number: **Request 195-21**.

On **July 15, 2021** I received an email response from Sergeant Jose Calero of the Westchester County Police, Records Unit, regarding my June 20, 2021 request (see attached). Sgt. Calero indicated that a preliminary look at archives did not yield results for a Westchester County Sheriff's investigation into this matter, but my request was being forwarded to the Detective Division's "cold case" detective(s) to inquire further.

As of this date, the Westchester County Police Detective's Division has failed to officially respond to my FOIL request.

Additionally, as I waited a response to my first request, I made a second request on **July 12, 2021** directly to Westchester County Commissioner of Public Safety, Thomas A. Gleason, for information relating to the same criminal investigation (request to attached).

As of this date, Commissioner Thomas A. Gleason, or the appropriate department or division of Westchester County government, has failed to officially respond to my FOIL request submitted on July 12, 2021.

As you know, The Freedom of Information Law provides direction concerning the time and manner in which agencies must respond to requests. Specifically, **§89(3)(a) of the Freedom of Information Law** states in part that:

“Each entity subject to the provisions of this article, within five (5) business days of the receipt of a written request for a record reasonably described, shall make such record available to the person requesting it, deny such request in writing or furnish a written acknowledgement of the receipt of such request and a statement of the approximate date, which shall be reasonable under the circumstances of the request, when such request will be granted or denied...”

“... if circumstances prevent disclosure to the person requesting the record or records within twenty business days from the date of the acknowledgement of the receipt of the request, the agency shall state, in writing, both the reason for the inability to grant the request within twenty business days and a date certain within a reasonable period, depending on the circumstances, when the request will be granted in whole or in part.”

Based on the foregoing, Westchester County must grant access to records, deny access in writing, or acknowledge the receipt of a request within five (5) business days of receipt of a request. When an acknowledgement is given, it must include an approximate date within twenty (20) business days indicating when it can be anticipated that a request will be granted or denied. However, if it is known that circumstances prevent the agency from granting access within twenty (20) business days, or if the agency cannot grant access by the approximate date given and needs more than twenty (20) business days to grant access, it must provide a written explanation of its inability to do so and a specific date by which it will grant access. That date must be reasonable in consideration of the circumstances of the request.

Thank you for your assistance and cooperation.

Sincerely,

[REDACTED]

[REDACTED]

Cc: Sgt. Jose Calero

Attachments: Original FOIL Request (June 20, 2021)
Sgt. Calero FOIL Response (July 15, 2021)
FOIL Request to Commissioner Gleason (July 12, 2021)

From: [REDACTED]
To: tag3@westchestergov.com
Subject: FOIA Request
Date: Monday, July 12, 2021 10:56:28 PM
Importance: High

July 12, 2021

Thomas A. Gleason
Commissioner
Westchester County Department of Public Safety/Police

Commissioner Gleason,

This email constitutes a request under the Freedom of Information Act.

I am currently researching the investigation into the "Son of Sam" case - the murders perpetrated by David Berkowitz ("Son of Sam"), former resident of 35 Pine Street, Yonkers, NY. Of specific interest to me is whether Mr. Berkowitz had co-conspirators living in Westchester County which had not been investigated, followed-up, or apprehended by the New York Police Department, Westchester County Sheriff's Department (or Department of Public Safety), or any local Westchester County law enforcement jurisdiction. Of particular interest to me is the criminal investigation relating to the murder of John C. Carr (DOB: 10/12/1946), a homicide that occurred in Ward County, North Dakota (Minot Air Force Base) on or about 02/17/1978. Mr. Carr was a Yonkers, NY resident, who was known to be a member of a satanic cult group, and a neighbor and friend of David Berkowitz.

I am hereby requesting the following:

- Any written reports, presentations, or investigatory documents (from 1977 to present day) detailing the David Berkowitz ("Son of Sam") murders, including any potential co-conspirators or groups that were not apprehended along with Mr. Berkowitz in or after August of 1977 – co-conspirators who have either passed away after David Berkowitz' apprehension, or who may still be at large to this day.
- Any information (investigation and autopsy reports, documents, crime scene photos) which may have been obtained from the Ward County Sheriff's Department (from 1977 to present day) relating to the criminal investigation of Mr. Carr, any of his associates, and satanic/occult groups possibly relating to the "Son of Sam" murders.

FOIA requests have already been made to the Yonkers Police Department, as well as the Yonkers Mayor's office. This particular request should be treated as separate and distinct from the prior Yonkers requests. If I can provide any additional information that can help facilitate the search for these records I would be glad to assist. Thank you for your assistance and cooperation.

Sincerely,

[REDACTED]

From: [FOIL-PS](#)
To: [REDACTED]
Subject: Re: Foil Request 195-21
Date: Thursday, July 15, 2021 3:41:06 PM

Mr. [REDACTED],

A preliminary look at our archives did not yield results for a Westchester County Sheriff's investigation into this matter. However, your request has been forwarded to the Detective Division's "cold case" detective(s) to inquire further. I'm hoping to hear back from them in the next couple of weeks, when I do I'll make sure to forward their findings if any.

Sincerely,

Sgt. Jose Calero
Westchester County police/Records Unit
(914) 864-7676

From: [REDACTED]
Sent: Sunday, June 20, 2021 9:28 PM
To: FOIL-PS
Subject: Foil Request

Information is being requested of: **FOIL-PS@westchestergov.com.**

Individual or organization requesting the information:

Name: [REDACTED]
Street Address: [REDACTED]
City: [REDACTED]
Zip: [REDACTED]
E-mail address: [REDACTED]

Comments and request explained:

To the Westchester County Sheriff's Office. Any investigation reports or documents relating to the murders perpetrated by David Berkowitz ("Son of Sam"), former resident of 35 Pine Street, Yonkers, NY - specifically, any written report or presentation, or investigatory documents detailing with the David Berkowitz ("Son of Sam") murders, including any potential co-conspirators or groups that were not apprehended along with Mr. Berkowitz in or after August of 1977 - co-conspirators which may still be at large. A FOIA request has already been made to the Yonkers Police Department. This should be treated as a separate and distinct request made to the Westchester County Sheriff's Office.

From: [Gleason, Thomas](#)
To: [REDACTED] [Jenkins, Kenneth](#); [Gratzel, Chris](#); [County Executive \(WEB\)](#); [FOIL-PS](#)
Subject: [REDACTED] E: FOIL Request - Non-Response
Date: Tuesday, August 17, 2021 10:46:04 AM
Attachments: [Westchester FOIA Request Non Response.pdf](#)

Response forthcoming. An extensive search for records needed to be conducted due to the period of time that passed.

Thomas A. Gleason
Commissioner-Sheriff
Westchester County Dept. of Public Safety
1 Saw Mill River Parkway
Hawthorne, New York 10532
(914) 864-7710

From: [REDACTED]
Sent: Sunday, August 15, 2021 10:36 PM
To: Jenkins, Kenneth <KJenkins@westchestergov.com>; Gratzel, Chris <cag4@westchestergov.com>; Gleason, Thomas <>tag3@westchestercountyny.gov>; County Executive (WEB) <CEO@westchestergov.com>; FOIL-PS <FOIL-PS@westchestergov.com>
Subject: FOIL Request - Non-Response
Importance: High

PLEASE SEE ATTACHED **FOIL REQUEST**.

Thank you.

[REDACTED]