

TRANSCRIPT OF TAPED CONVERSATION HELD AT BUREAU OF ALCOHOL,
TOBACCO AND FIREARMS, HOUSTON, TEXAS, HELD ON AUGUST 12, 1977
COMMENCING AT OR ABOUT 2:30 P.M.; BY ASSISTANT DISTRICT ATTORNEY
PAUL CALLAN.

PRESENT: RALPH ABERCIA, ESQ.
HOUSTON, TEXAS
JOHNNIE ABERCIA, ESQ
HOUSTON, TEXAS
MS. [REDACTED]
HOUSTON, TEXAS.

MR. CALLAN: Mr. [REDACTED] My name is Paul
Callan. I'm an Assistant
District Attorney with the
Homicide Bureau of the
Brooklyn District Attorney's
Office, that's in Brooklyn,
New York. I'm here in Houston,
conducting an investigation
into certain murders which
have taken place in New York
City. I'm particularly
interested in obtaining
information about a .44 caliber
bulldog revolver, a Charter
Arms revolver, bearing serial
#212927. And I understand
that you might have some
information about that gun
that could be helpful to me.
Is that right?

THE WITNESS: Yes.

MR. CALLAN: All right. Now,

Mr. [REDACTED] present with us
in the room are your attorneys,
Mr. Ralph Abercia and Mr.
John Abercia ; is that correct?

THE WITNESS: Right.

MR. CALLAN: And do you wish to
make a statement to me about
the .44 caliber revolver?

THE WITNESS: Yes, Sir.

MR. CALLAN: If you have any
hesitation about answering
any of my questions, you're
free to stop me and you can
talk to your attorneys. So
do that, if you feel uncomfortable
at any point.

THE WITNESS: Okay.

MR. CALLAN: Or if you don't
want to answer anything, I ask
you at any point, okay?

THE WITNESS: Okay.

MR. CALLAN: All right. What
is your name, Sir?

THE WITNESS: [REDACTED]

MR. CALLAN: Would you mind swearing to this statement?

THE WITNESS: Yes.

MR. CALLAN: Would you have an objection to that?

THE WITNESS: No.

MR. CALLAN: Could you raise your right hand.

Do you swear that the testimony you're about to give me to be the truth, the whole truth, and nothing but the truth, so help you God?

THE WITNESS: I do.

BY MR. CALLAN:

Q. What is your name, Sir?

A. [REDACTED]

Q. And your address?

A. [REDACTED]

Q. And what is your date of birth?

A. [REDACTED]

Q. And you are 24 years of age?

A. That's correct.

Q. Do you know an individual by the name of David Berkowitz?

A. Yes, I do.

Q. For how long a period of time have you known this individual?

A. Since June of 1971.

Q. Where did you first meet David Berkowitz?

A. Fort Polk, Louisiana.

Q. And how did you happen to meet him there?

A. He was -- I met him in a Leadership school.

Q. That's in connection with military service?

A. Right. In the Army.

Q. Was he in the Army also?

A. Yes.

Q. What was your rank in the Army at that time?

A. E-1.

Q. And how about his, do you recall?

A. I guess he was in the Army, he just got started.

Q. For how long a period of time were you with him in Ft. Polk, Louisiana?

A. Approximately six months.

Q. And did you have occasion to see him at all, after June of 1971?

A. Yes.

Q. When was that?

A. I saw him in Korea.

Q. You were stationed in Korea for how long?

A. 13 months.

Q. And he was stationed with you in Korea?

A. Right.

Q. And when did you terminate your status in Korea?

A. January of '73.

Q. And did you have occasion to see him at all after January of '73?

A. Yes. He came to my house after he was out of the Army.

Q. When did he come to your house?

A. June of '76.

Q. Do you recall approximately when in June of '76, he came to your house?

A. Not the exact date.

Q. Okay. Now, did you have occasion to have any discussions with him concerning a gun while he was at your house?

[REDACTED]

A. He had asked me to help him get him a gun.

Q. Okay. Now, please tell me in your own words what he said to you and what actions you took with regard to the gun?

A. He asked me to help him purchase a gun because he was on vacation, had a lot of money on him and he was going to go all around the United States and he wants some self protection. He said he was afraid maybe if he stayed in motels, somebody would try to rob him or if he had a flat, somebody would try to take his money or something and he was afraid and he needed some protection.

Q. Did you purchase this gun that he asked you to purchase?

A. Yes, I did.

Q. Do you recall where you purchased the gun?

A. It was a pawn shop. I don't remember the exact name.

Q. Would the name Spring Branch Jewelry and Loan, at [REDACTED], refresh your recollection?

A. That's it.

Q. That's the pawn shop where you bought the gun at?

A. Right.

Q. All right. Now, when you purchased the gun,

did you fill out a form; do you recall?

A. Yes, I did.

Q. All right. As you can see, Mr. [REDACTED] I have before me a yellow form, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms. At about the middle of the form it bears what purports to be the signature of Billy D. [REDACTED] I ask you to examine that form and tell me if that's your signature?

A. Yes, it is.

Q. Is that the form you recall filling out when you bought the gun?

A. I guess that it is. That's my signature on it.

Q. Now, after you purchased the gun, what did you do next?

A. I purchased the gun and then Berkowitz paid me what I paid for the gun.

Q. How much did you pay for the gun?

A. I can't recollect that.

MR. CALLAN: Mr. [REDACTED] I've been shuffling through some papers here to find a form. I'm going to resume my interview right here.

BY MR. CALLAN:

Q. I show you this, what appears to be a receipt entitled, "Spring Branch Loan" at the top. The same address is given as I recited before, [REDACTED] [REDACTED] [REDACTED] [REDACTED] At the [REDACTED] of the form, there is what purports to be the signature of Billy D. [REDACTED] Could you examine that and tell me if that appears to be your signature?

A. Yes. That is my signature.

Q. And the receipt states that you paid \$151.20 for the gun. Does that sound like it was the approximate figure that you paid?

A. I know it was over \$100.

Q. Okay. And after you purchased the gun, was --

MR. CALLAN: Let me back track for a moment. Withdraw that question.

BY MR. CALLAN:

Q. Was David Berkowitz with you when you purchased the gun?

A. Yes, he was.

Q. And at what point did you give the gun to David Berkowitz?

A. Well, we went back to my house and he looked at it, put it away.

Q. Did you have occasion to purchase any ammunition for the gun, at that time?

A. Yes, I bought slugs on the same day.

Q. And were those .44 caliber slugs, that you bought for the gun?

A. Yes.

Q. The gun was purchased, Mr. [REDACTED] on June 12, 1976, is that correct?

A. Approximate date.

Q. Okay. And do you recall how long after the -- how long a period of time went by before Mr. Berkowitz left after you gave him the gun?

A. I believe he left the next morning.

Q. And did you have any idea where he was going when he left?

A. He just told me he was just going to travel to see some of, you know, the country and stuff.

Q. Now, he was staying at your house, at that time?

A. He stayed -- well, he stayed three days, I believe three days. He only stayed at my house one night. He stayed at a

[REDACTED]

motel. I don't even know what motel or what part of town it was in.

MR. CALLAN: Thank you very much, Mr. [REDACTED]. That's all.

G.J. SUBPOENAS SERVED FOR _____

D.A. HOMICIDE# 3229-I

ORIGIN OFFICE _____ RIDING **XX** TEL. _____

ORIGINAL FOLLOW-UP **XX**
DATE OF ORIGINAL REPORT 7 / 31 / 77
MO. DAY YR.

HOMICIDE DISTRICT # _____ PCT. _____

ORIGINAL BY ADA Petrocelli
DATE OF F/UP REPORT 8 / 11 / 77
MO. DAY YR.

CRIME _____

F/UP REPORT BY ADA Callan

INFO. CALL _____ U.F.61# 1129

STENO NST 26387 STATE-MENT# _____

OCCURRENCE DATE 7/31/77 TIME 2:45 AM

PLACE Bay 16 & Shore Parkway

D.F.T. David R. Berkowitz

POLICE OFFICERS SHD. COM.

ADD. _____

HOM.DET. _____

IND.# 2673/77

1ST AT SCENE _____

A/K/A Son of Sam

FORENSIC _____

ARREST _____ NO ARREST _____

FORENSIC RUN # _____ FELONY MURDER _____

UNAPPREHENDED _____ UNKNOWN _____

M.E. AT SCENE _____ JUSTIFIABLE _____

WEAPON RECOVERED _____ YES _____ NO _____

TYPE OF WEAPON _____

DECEASED AND/OR COMPLAINANTS

STATEMENT BY DEFENDANT

NAME Stacey Moskowitz

POLICE _____ YES _____ NO _____ WARNING _____

ADD. _____ TEL. _____

ADA _____ YES _____ NO _____ WARNING _____

CONDITION & HOSPITAL _____

WITNESSES

1. NAME _____
ADD. _____
TEL. _____ APT. _____
WEL.# _____ OFFICE _____
BUS. ADD. _____ TEL. _____
NEAREST REL. _____
ADD. _____ TEL. _____

4. NAME _____
ADD. _____
TEL. _____ APT. _____
WEL.# _____ OFFICE _____
BUS. ADD. _____ TEL. _____
NEAREST REL. _____
ADD. _____ TEL. _____

2. NAME _____
ADD. _____
TEL. _____ APT. _____
WEL.# _____ OFFICE _____
BUS. ADD. _____ TEL. _____
NEAREST REL. _____
ADD. _____ TEL. _____

5. NAME _____
ADD. _____
TEL. _____ APT. _____
WEL.# _____ OFFICE _____
BUS. ADD. _____ TEL. _____
NEAREST REL. _____
ADD. _____ TEL. _____

3. NAME W. Rothgeb
ADD. Bureau of Alcohol, Tobacco's & Firearms
TEL. _____ APT. _____
WEL.# Houston, Tex. OFFICE _____
BUS. ADD. _____ TEL. _____
NEAREST REL. _____
ADD. _____ TEL. _____

6. NAME _____
ADD. _____
TEL. _____ APT. _____
WEL.# _____ OFFICE _____
BUS. ADD. _____ TEL. _____
NEAREST REL. _____
ADD. _____ TEL. _____

Statement # N 26387

ADA Callan went to Houston, Tex. to speak with witnesses. Trace origin of .44 Bulldog Revolver used in "Son of Sam" killings.

Witness #1 [REDACTED] is an old army buddy of David Berkowitz. First met Berkowitz at Fort Polk, LA and was later stationed with defendant in Korea. On June 11, 1976 defendant paid witness a surprise visit in Houston. Defendant told witness that he needed a gun for protection. Defendant stated that he intended to travel around the country and would be carrying a lot of money. On June 12, 1976 witness and defendant went to the Spring Branch Jewelry and Loan at [REDACTED] and purchased a charter arms .44 bulldog revolver bearing serial #212927 and 2 boxes of ammunition. Money for the transaction was supplied by Berkowitz. Berkowitz left Houston with the gun on the following day June 13, 1976.

Witness identified his signature on a federal firearms form and a receipt. Both receipts were signed at the time the gun was purchased. Copies of the receipts have been turned over to 1st ADA Greenberg. The originals are in the files of the Bureau of Alcohol, Tobacco and Firearms in Houston.

Present during the tape recorded interview with witness were witness's attorneys Ralph and Johnnie Abercia of Houston, Tex. and witness's girlfriend [REDACTED] of [REDACTED]. A.T.F. agent Jim Collins entered the room briefly and exited the room during the interview.

Tape of interview given to 1st ADA Greenberg by ADA Callan.

Witness #2 [REDACTED] is manager of Spring Branch Jewelry and Loan of [REDACTED].

Witness has no specific recollection of either [REDACTED] or defendant.

By examining his records he was able to ascertain that he sold a .44 bulldog revolver bearing serial # 212927 and 2 boxes of ammunition to one [REDACTED] on June 12, 1976. The gun had been purchased on June 1, 1974 from an wholesaler, Dave's House of Guns [REDACTED] (invoice #018319)

Witness previously gave a sworn statement to Special Agent Charles J. McClelland of A.T.F. (attached.)

Witness #3 W. Rothget is A.T.F. agent in charge of "Son of Sam" investigation in Houston. He has custody of all receipts and forms pertaining to the .44. He will produce these documents at the Berkowitz Trial. A.T.F. will also locate and notify any Houston, witnesses necessary for the trial.