

STATEMENT TAKEN AT THE OFFICE OF THE DISTRICT
ATTORNEY, BROOKLYN, NEW YORK, ON AUGUST 5, 1977
COMMENCING AT OR ABOUT 4:00 P.M., BY ASSISTANT
DISTRICT ATTORNEY GARETT LEWIS.

PRESENT: DET. ED ZIGO
SHIELD NO. 2419
10th HOM. ZONE

MARTIN SPITZER,
HEARING REPORTER

[REDACTED] QUESTIONED

([REDACTED] having been duly sworn,
testified as follows:)

BY MR. LEWIS:

Q My name is Garrett Lewis. I am an
Assistant District Attorney in the Homicide
Bureau of the Kings County District Attorney's
Office. I am investigating the death of
Stacey Moscovitz and the shooting of Robert
Violante. I understand you might have some
information regarding that investigation of those
crimes. I would like to ask you those questions
regarding that.

A Yes.

Q I understand you were in the vicinity
of [REDACTED] and [REDACTED]
July 31, 1977.

A Yes, I was.

Q Do you recall what time you were there;
what time you arrived at that scene?

A I arrived at approximately two o'clock.

Q How did you get to that area?

A I drove there.

Q In what vechile, what type?

A Corvette.

Q Is that your Corvette?

A My friend.

Q Were you with anyone?

A A girl.

Q Upon arriving at that area what did you do?

A I pulled over and parked right near the footpath on Shore Parkway.

Q Could you describe that area a little more?

A Under there is the street lamp there, right to my right there is the park, Cropsey Park.

Q You were sitting on the driver's side of the car?

A Yes.

Q You parked the car on the left side or the right side?

A Left side.

Q Then the passenger's side was facing the traffice lane, in other words?

A Yes.

Q Upon arriving there did you see any other cars in the area?

A When I pulled up I saw one car. He had been pulling away as I pulled up.

Q What did you do when you got there, when you first got there?

A I stopped the car and we got out, took a walk up to the footpath, right over the parkway. It was too cold. We walked back to the car, only about a minute, a minute or two minutes. I walked-- just too windy. I went back to the car. I stood there for a while. I was underneath the light and just about, I was there maybe for a minute. I pulled my car up to a darker area.

Q How far did you pull the car up?

A About three car lengths.

Q Did you pull it up on the same side of the street?

A Yes.

Q When you changed the position of the car to where it originally was, did anything unusual happen?

A Well, I kept hearing a noise, as I was parking the car, of another motor passing by. Only reason I heard it it was continuous.

Q Did you look at what type of car was passing?

A I happened to catch the roof of the car, the color was yellow. Sounded like it was a Volkswagon motor.

Q Why do you say it appeared to be a Volkswagon?

A I am a mechanic. I am with cars all the time. I can tell any kind of motor.

Q You recognized the color of the car?

A The roof of it was all I caught, was yellow.

Q What style was the roof?

A Wasn't like a regular roof, like a Fastback.

Q Wasn't like a bug or beetle sloped roof?

A Right.

Q How many times did you hear this noise?

A About five or six times.

Q During this period of time was there any other cars in the vicinity of Bay 14th and Bay 16th, where you were parked?

A No, there wasn't.

Q What else occurred?

A Well, I had, you know, it was getting cold, I closed my window. Last time I heard the car I was aware it got quiet. There was no more noise.

Q There were no other cars in the area?

A No. And a minute later or so I seen another car. I seen headlights hit the inside part of my car. I looked, turned around and seen another

car back and turn up the right side of the street where I was.

Q In other words the driver's side was next to the park, the passenger's side was next to the traffic?

A Right.

Q What was the time lapse between the time you first got to the park and parked when this car came upon and parked?

A About thirty minutes.

Q That was the laps ?

A Yes.

Q Could you estimate what time the, that car arrived?

A About two-thirty.

Q Did you see individuals in that car?

A Yes, I noticed two people.

Q Did anything unusual occur thereafter?

A They were parked, then I happened to notice a squad car go by within this time. I didn't hear that car no more. Five minutes afterward I didn't hear the car any more. After five minutes I seen the squad car go back.

Q Was the second car parked behind you when the squad car arrived on the scene?

A Yes.

Q What did the squad car do?

A Just drove by.

Q What happened then, as best you can remember?

A Right after the squad car went by, maybe a minute or two minutes, I noticed a man near the fence, near the opening in the park, through my rear view mirror and I thought--I didn't think nothing of it at first.

Q This park, is it on your left or right-hand side?

A On my left --excuse me. On my right.

Q In other words was that the passenger side of your car?

A Passenger side.

Q What did you see occur?

A I watch this man walk towards the car that was parked behind me and he didn't seem strange as soon as he got up to the car, close to the passenger window. He crouched down into a shooting arch position and shot into the car.

Q How far away from the car was he?

A Maybe, about half a foot
I seen him, his arm go up as he shot.

Q How many shots did you hear?

A Four.

Q Were you constantly watching this individual during this time?

A Yes.

Q You say he was on the side of the car; he wasn't in front of the car in any way?

A Right at the passenger door.

Q When this individual approached did you see him carrying any weapon?

A I didn't notice the weapon as he walked to the car. He had both hands in front of him, you wouldn't walk like that, near his stomach.

Q While he was walking he kept his hands in that position?

A Yes.

Q Did you ever see him remove any type of weapon from his garment?

A No, he just came out with it.

Q Was there any interim between the shots?

A No, one right after another.

Q After you heard the shots what did the individual do?

A Turned around and ran, fast, back into the park, the way he came out.

Q Took the same path?

A Yes.

Q What did you do?

A I drove. I made a right turn on Bay 14th corner. We turned at Cropsy, make a right went

to 17th Avenue, just stopped for a second, looked down the block to see if I seen him running through the park. I didn't see nothing. I don't see any lights. I took off to the precinct.

Q What was the lighting conditions in the immediate area of the shooting?

A Light up a lot. I noticed his clothes clearly.

Q You say you observed him through your rear-view mirror. Any time you turn around and saw this individual?

A No.

Q Your observation of this individual was you see his face or profile?

A Profile.

Q Which side of his face did you observe?

A Right side.

Q At the time of the shooting how many cars were in the vicinity?

A Within that area I didn't see any--only two cars.

Q What was the race of this individual? White, black, Hispanic, could you tell?

A He looked white. I know for sure he wasn't black, but the street lamp over him, it cast a shadow in his face. I know he was white.

MR. LEWIS: No further questions.

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