

## Department of Correction — Intradepartmental Memorandum

Date : August 19, 1977  
From : Benjamin J. Malcolm, Commissioner of Correction  
To : The File  
Subject : Inmate David Berkowitz, Kings County Hospital Prison Ward

On August 12, 1977, at about 5:30 p.m., I visited Kings County Hospital Prison Ward, as part of my official duties to inspect the security that was being employed for inmate-patient David Berkowitz. Prior to this physical inspection I directed that Berkowitz be brought into the office of the Warden. Present during the course of this very brief interview were the following parties: Captain Donlon, my chauffer N. Sanders and my Special Assistant, Leroy Adams. The conversation proceeded as follows:

Hello David, I'm Commissioner Malcolm of the Department of Correction; I'm concerned about your safety and security in this institution -

Q. How are you?

A. O. K.

Q. Did you eat your food today?

A. Yes.

Q. Have you had any visitors?

A. No.

Q. Do you want your father to visit you?

A. Yes.

Q. Do you want your sister to visit you?

A. No.

Q. Are you getting along O.K.?

A. Yes.

Q. I asked him about his recreation; whether or not he lifted weights

A. He replied "a long time ago".

Q. I asked him what does he do now for recreation

A. He replied, "I walk".

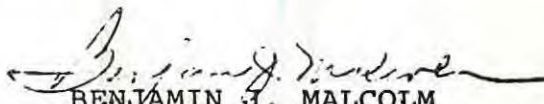
The entire conversation was answered in monosyllabic replies. He impressed me as being quite tense and apprehensive about his fate.

Later, at about 6:00 p.m., I observed him from the rear watching the 6:00 p.m. news (I do not recall the station but Anna Bond, was one of the commentators).

On Tuesday, August 16, 1977, at about 9:30 a.m., I again spoke to David Berkowitz in the 9th floor holding pen, in the Supreme Court building, at 360 Adams Street, Brooklyn, New York. Present was a correction officer whose name I do not recall, but it can easily be obtained. David had been brought over from Kings County Hospital under heavy Police and Correction escort to be arraigned in the Supreme Court by the Honorable Leonard Yoswein. David, to my surprise, was far more communicative and quite lucid. He told me that he had eggs for breakfast and we discussed army breakfastses - fresh eggs and powdered eggs and I learned that he had spent three years in the Army and 13 months in Korea. He told me that he grew up on Soundview Avenue in the Bronx, and attended Columbus High School. We discussed forms of recreation and he said he used to play soft ball and his position was a catcher. I told him I too played soft ball and I was also a catcher and sometimes a pitcher. I told him that I heard that contrary to his desire to see his father, on August 13th, he refused to see his father. He replied that he had seen his father but didn't care too much for seeing his father under these circumstances; meaning having to converse through a telephone and a glass partition. He indicated that he would like to see his father but not under present conditions. I said to David "what do you think of all this fanfare", he replied, "I wish they would leave me alone and do what they have to do".

My observation of this conversation was one in which he was beginning to respond in more than monosyllabic terms and he recognized the fact that I was the Commissioner. At no time did I discuss the alleged offenses, his case, his mental condition or anything other than what I have stated in these notes.

NOTE: This information was dictated to my Executive Secretary, Miss Millicent G. Mann, at about 6:30 p.m., on August 19, 1977. To the Best of my recollection, this is a true conversation with David Berkerwitz.

  
BENJAMIN J. MALCOLM  
Commissioner