

Mental Tests on Berkowitz Begin; Jury Convenes to Weigh Indictment

Lawyer Reportedly Offers to Sell Recordings of Conversations With Suspect for \$50,000

By LEONARD BUDER

David R. Berkowitz, the man accused of being the gunman known as the "Son of Sam," began undergoing psychiatric examinations yesterday in the same Brooklyn hospital where the killer's last victim died on Aug. 1 and where her seriously injured companion was still being treated.

While psychiatrists started their efforts to determine whether the stocky, almost cherubic 24-year-old postal worker was mentally fit to stand trial, a special grand jury convened to hear evidence that was expected to lead to Mr. Berkowitz's indictment.

Reports to Police Cited

The suspect, according to police sources, told them after his arrest Wednesday night that he had killed six persons—five of them young women—and had wounded seven others after receiving "commands" from a man named Sam who lived 6,000 years ago and spoke to him through a dog.

The police believe that the unwitting object of Mr. Berkowitz's obsession was a Yonkers neighbor with whom he was not acquainted—Sam Carr, the 64-year-old owner of a telephone answering service.

As efforts to flesh out details of Mr. Berkowitz's background continued, the city editor of The Daily News said that a representative of Phillip Peltz, a lawyer for Mr. Berkowitz, had called the paper and offered to sell more than six hours of taped conversations with the suspect for \$50,000. [Page 8.]

Among the developments related to the background and capture of the suspect that emerged yesterday were the following:

¶During a year in the Army in Korea,

Mr. Berkowitz had apparently taken the mind-altering drug LSD. A friend said that there were "a couple of mentions" of the drug in letters and that "I got the impression he had taken it."

¶The police may have been helped in their hunt for the .44-caliber killer by Mr. Carr's daughter. A New York City police source said she told a Brooklyn detective Tuesday night—a day before Mr. Berkowitz's capture—about strange behavior by the suspect and, specifically, about acts of harassment against her father.

¶A New Rochelle woman who once rented a room in her home to Mr. Berkowitz said she was certain as early as June 10 that he was the Son of Sam and that she had tried to give the information to the Yonkers police one week ago. [Page 8.]

¶Officials of the Atlanta office of the Federal Bureau of Investigation denied that the New York City police had asked them to look into a statement by an airline stewardess that a passenger to Fort Lauderdale, Fla., had told her in June that he was the Son of Sam.

A neighbor of Mr. Berkowitz's adoptive father, who lives in Boynton Beach, Fla., said on Thursday that David visited there about three months ago and that he spent most of his time at the Fort Lauderdale beach. The New York City police said earlier that they had asked the F.B.I. in Atlanta to look into the story and that it did not add up to anything.

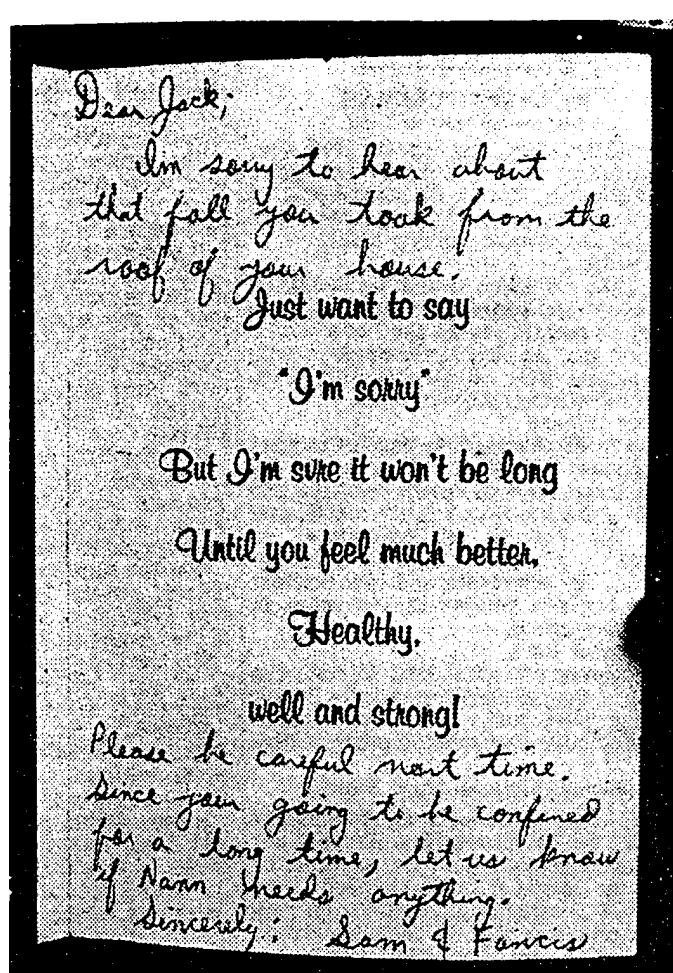
¶Adoption papers showed that Mr. Berkowitz was born Richard David Falco on June 1, 1953, and that he was adopted on Nov. 30, 1954, by Nathan and Pearl

Continued on Page 8, Column 5



The New York Times

The inside of a get-well card received by Nann Cassara, above, over a year after David Berkowitz left the room he rented from her. She had never met "Sam & Francis," an apparent reference to Sam and Francis Carr, and no one in her family was sick. Mrs. Cassara connected the card with Mr. Berkowitz after she visited the Carrs and compared it to two anonymous and threatening letters the family had received complaining about their dog.



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Continued From Page 1

Berkowitz. Adoption papers issued by the Bronx Surrogate were found in Mr. Berkowitz's Yonkers apartment after his arrest. Raised as a Jew, he converted to Christianity while in the Army.

A lawyer representing the suspect sought a court order to prohibit city officials, the Police Department and news organizations from disclosing and printing incriminating conversations that Mr. Berkowitz reportedly had with police officers after his arrest. After city and police authorities said they would not discuss the case with newsmen, the request was turned down by Justice Leonard E. Yoswein in State Supreme Court.

Mr. Berkowitz was sent to Kings County Hospital on Thursday by Richard A. Brown, an acting State Supreme Court justice, who presided at his arraignment in Brooklyn. Although the police say the suspect gave them details about all the murders laid to the .44-caliber killer, he has been formally charged with only one murder—the slaying of 20-year-old Stacy Moskowitz, who was shot while sitting in a parked car near the Brooklyn waterfront on the morning of July 31.

Held Under Heavy Guard

He has also been charged with the attempted murder of her 20-year-old companion, Robert Violante, who was wounded and is now nearly blind, and with the possession of a dangerous weapon — the .44-caliber Charter Arms Bulldog revolver that was allegedly used in the eight attacks by the Son of Sam.

Mr. Berkowitz is being held under heavy police guard at the hospital, not only to prevent his escape, but also to forestall possible attempts to harm him.

Thursday night, a small band of youths gathered outside the hospital chanting, "We want Sam." A number of people have also called the hospital threatening to wreak vengeance on Mr. Berkowitz.

Dr. Daniel Schwartz, the hospital's director of forensic psychiatry, said the psychiatric tests would take about two weeks, "perhaps a little longer."

"I'll try to engage the man in conversation and, as the conversation flows, that is how it will go," he said. "It will be my function to ascertain whether or not he understands what is going on, if he is criminally responsible for his act, whether he can assist in his defense."

Mr. Berkowitz was isolated yesterday in a "Spartan" room in G Building large enough for three beds and a toilet. Guards kept constant watch through a reinforced glass panel in the door.

Two barred windows of the room look out to the street and another wing of the massive hospital complex, where Mr. Violante is being treated.

Dr. Schwartz said Mr. Berkowitz would

be allowed to spend an hour a day in the recreation room of the prison ward—but only when no other inmates were there—so he could watch television, if he wished. The suspect will also be taken from his concrete-walled cell for visits to the psychiatrist's office.

State law requires at least two psychiatrists to determine if a suspect is mentally competent. Dr. Schwartz said in this case he would probably use more.

The special grand jury in Brooklyn, which was in session two hours, heard several witnesses, including the arresting detectives and the police officer who ticketed Mr. Berkowitz's illegally parked car early on the morning of the attack on Miss Moskowitz and Mr. Violante.

It was that ticket that led Brooklyn detectives to Mr. Berkowitz's car, parked outside his Yonkers apartment building. Through the window they spied what appeared to be the butt of a rifle poking out of a gunnysack and an envelope scrawled in the unusual style of writing attributed to the Son of Sam.

The jury is scheduled to meet again Monday.

At the time detectives were tracking the owner of the illegally parked cream-colored Ford Galaxie, which turned out to be Mr. Berkowitz's, they were seeking possible witnesses to the July 31 shootings. Mr. Berkowitz's car was one of a number ticketed near the scene of the crime.

Inquiry to Yonkers Police

According to a reliable police source who did not want to be identified, a detective attached to the Tenth Homicide Zone in Brooklyn was investigating Mr. Berkowitz on Tuesday night—26 hours before the arrest—after a computer check showed that he owned the car.

The detectives, the source said, called Yonkers Police headquarters to inquire what, if anything, officers there knew about Mr. Berkowitz, who lived in the north end of the city.

According to the New York City source, the detective reported later that the woman who answered the telephone told him that her father—Sam Carr—had had problems with Mr. Berkowitz that had been called to the attention of the Yonkers police.

Later a Yonkers detective called the Brooklyn detective and gave him information about Mr. Berkowitz's supposedly strange behavior. The next afternoon, four detectives from the Brooklyn homicide unit went to Yonkers, setting the stage for the arrest later that night.

But Yonkers police officials said yesterday that Mr. Carr's daughter did not work for them and that the police did not use Mr. Carr's telephone answering service.