

Berkowitz's Lawyers Expect Plea Of Guilty, Possibly in Six Murders

By ANNA QUINDLEN

Defense lawyers for David R. Berkowitz expect him to plead guilty in Brooklyn on Monday to at least one of the murders—and possibly all six—committed by the so-called .44-caliber killer.

"We haven't been able to dissuade him all these months," Ira Jultak, one of the defendant's lawyers, said of his client's determination to plead guilty to the charges against him. "We won't be able to dissuade him now."

But Mr. Jultak and his colleague in the defense, Leon Stern, insist, as they have done throughout their representation of the 24-year-old former postal clerk, that his behavior is unpredictable. They say he may have changed his mind by the time he enters the courtroom where he is scheduled to stand trial for the murder last July 31 of Stacy Moskowitz and where, under special administrative agreement, he could enter guilty pleas in all six murders in three boroughs.

If Mr. Berkowitz does decide to defy his lawyers, who would like him to plead not guilty by reason of insanity, he may elect to plead guilty before three different judges in the same courtroom on Monday. Under an unusual procedure worked out with the city's chief administrative judge, the courtroom in State Supreme Court in Brooklyn where Mr. Berkowitz is scheduled to be tried for the shooting of Miss Moskowitz could then be transformed by judicial order into a part of the Supreme Court in Queens and in the Bronx, where the other killings took place.

John J. Santucci, the Queens District Attorney, confirmed yesterday that he had discussed that unusual course of action with Justice David Ross, administrative judge for the five counties of New York City, and had agreed with Judge Ross that the multiple pleas would mean great savings in security and court costs.

The District Attorney said that Judge Ross had also persuaded Mario Merola and Eugene Gold, the District Attorneys in the Bronx and Brooklyn, of the feasibility of the plan and that all three prosecutors would appear in court on Monday.

Weekend Discussion of the Plea

But Justice Joseph R. Corso, who is scheduled to preside at Mr. Berkowitz's trial in the murder of Miss Moskowitz, the last victim of the .44-caliber killer, said yesterday that while he had heard of such an arrangement, no one could be sure that Mr. Berkowitz would plead guilty.

He said that he had spoken with the defense attorneys, Mr. Stern and Mr. Jultak, and that they had told him they would talk with their client over the weekend about the plea he would enter.

If he pleaded guilty to all six murders, Mr. Berkowitz would face maximum concurrent sentences of 25 years to life for all six counts.

If he did decide to plead guilty to all the indictments in a single appearance on Monday, Mr. Berkowitz would first appear before Justice Corso on charges of having murdered Miss Moskowitz, a 20-year-old secretary, and wounding Robert Violante as they sat in a parked car in the Bensonhurst section on their first date.

Justice Corso would try to ascertain that Mr. Berkowitz was entering his guilty plea freely, and if the justice was convinced, he would accept it.

Then Justice Ross would sign an order

transforming the courtroom in Brooklyn into a courtroom of the Supreme Court in Queens. The Queens Justice, Nicholas Tsoucalas, would then take the bench, determine whether Mr. Berkowitz was competent, and if so, accept his guilty plea.

The same would then be done with a State Supreme Court justice from the Bronx. Justice William Kapelman had been mentioned, but yesterday would neither confirm nor deny his involvement. Mr. Merola said through a spokesman that he would decide what to do on Monday.

It was in the Bronx that the yearlong shooting rampage began with an inexplicable killing on July 29, 1976, when 18-year-old Donna Lauria died in a spray of bullets from a .44-caliber Bulldog revolver.

By the time it ended with the arrest of Mr. Berkowitz at the apartment building where he lived in Yonkers on Aug. 10, 1977, six young people were dead and seven had been wounded, young women throughout the city were tinting or pinning up their hair because of the killer's alleged partiality for long-haired brunettes, and lovers' lanes were abandoned after five pairs of parked teen-agers had been fired upon.

The 'Son of Sam' Suspect

But when Mr. Berkowitz, a pudgy man with a strange half-smile, was captured, the police quoted him as saying he had chosen his victims entirely at random. He allegedly said he had killed all of them—Miss Lauria, Christine Freund and Virginia Voskerichian of Queens, Valentinia Suriani and Alexander Essau of the Bronx, and Miss Moskowitz—and had tried to kill the others because of commands he received from Sam Carr, a Yonkers neighbor.