

Berkowitz Case Is to Begin Today Before Brooklyn Supreme Court

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Suspect in .44-Caliber Killings Expected to Plead Guilty to Charges in Shooting Rampage

By ANNA QUINDLEN

The case of the People against David R. Berkowitz, the accused .44-caliber killer, is scheduled to go to trial today in State Supreme Court in Brooklyn.

But if, as his lawyers expect, he pleads guilty to all the murder charges against him from the yearlong shooting rampage that left six dead and seven wounded, the case may culminate in a single day in court, with three judges—from all the boroughs where the crimes took place—accepting the defendant's pleas.

Mr. Berkowitz would then await sentencing, which would probably be scheduled for next month, in the same cell in the psychiatric ward at Kings County Hospital where he has been held since his arrest last August. If he enters guilty pleas on all the charges, he would face a maximum prison term of 25 years to life.

Six Pleas at Once

The mechanics of a multiple guilty plea were arranged last week by the city's chief administrative judge, David Ross. Mr. Ross told District Attorneys Eugene Gold of Brooklyn, John J. Santucci of Queens, and Mario Merola of the Bronx that in the interest of security and court costs, he would like to consider a judicial order that would allow State Supreme Court justices from each borough to hear the defendant's guilty pleas all at one session in Brooklyn, rather than move him from courthouse to courthouse.

Mr. Santucci was the last to agree to the arrangement. He said he was concerned about the possibility that the case might be overturned on appeal because a competency ruling by Justice Joseph R. Corso of the State Supreme Court in Brooklyn might not apply to the Queens indictment. The Brooklyn court was originally scheduled to hear only the charges

connected with the murder of Stacy Moskowitz in Brooklyn last July 31.

Mr. Santucci said he would ask Justice Nicholas Tsoucalas of Queens to rule on Mr. Berkowitz's competency before accepting his plea.

Mr. Berkowitz's lawyers, Leon Stern and Ira Jultak, have repeatedly said they wish their client to plead not guilty by reason of insanity. However, because Justice Corso has ruled that Mr. Berkowitz to disregard his lawyers' advice and plead guilty. The ruling that he is competent means only that he is aware of the charges against him and able to assist in his own defense—not necessarily that he was sane at the time of the crimes.

Mr. Berkowitz's state of mind has been a paramount question since his capture on Aug. 10, 1977. And it may be the main stumbling block in today's proceedings, since his defense attorneys stress that their client is unpredictable and could suddenly change his mind and his plea, or begin to talk of demonic commands in a way that would make a judge hesitant about accepting a guilty plea.

Mr. Berkowitz, a pudgy young man with a curiously benign face, has insisted that he committed the Son of Sam murders under orders from demons. In particular, he blamed a Yonkers neighbor named Sam Carr, saying that Mr. Carr was a demon "who lived 6,000 years ago."

A Rash of Murders

Nevertheless, after a variety of problems with his legal representation and despite a psychiatrist's report that characterized him as emotionally dead, Mr. Berkowitz was last month adjudged competent to stand trial by Justice Corso, whom he will appear before first today.

Justice Corso may later be replaced on the bench, first by Justice Tsoucalas



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CEREBRAL PALSY BIKE-A-THON: A jogger sat on the fence along Central Park Drive as bikers pedaling to raise funds passed her by yesterday.

and then by Justice William Kapelman of the Bronx, who will hear his pleas in the deaths of Christine Freund and Virginia Voskerichian of Queens and Donna Lauria, Valentina Suriani, and Alexander Esau of the Bronx.

Mr. Berkowitz, a 24-year-old Yonkers resident who was raised in the Bronx, allegedly began his rash of shootings there on July 29, 1976, when Miss Luria

was killed while sitting in a car parked outside of her house.

But it was not until ballistics tests were run on the bullet that killed Miss Voskerichian, the third victim, that police realized they had a multiple-murder case and the city became galvanized by fear. Teenagers began staying at home and avoiding parked cars, and young women hid their hair because of the killer's apparent partiality for long-haired brunettes.