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Turning the missing into the legally dead

Families apply for certificates at Pier 94

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John Costanza signed the papers but he still doesn't believe it. His wife is dead.

"I can't accept this," said Costanza, 35, walking alone on W. 55th St., his eyes red from crying. "I can't comprehend what's happened."

He and relatives of hundreds of other people still missing after the Sept. 11 World Trade Center terrorist attacks let go of hope yesterday, signing documents asking that their loved ones be declared dead.

They formed a heavy-hearted procession into a victim assistance center at Pier 94 on Manhattan's West Side, where volunteer lawyers helped them apply for death certificates.

Many journeyed toward an emotional goal, not a legal one. They carried manila folders bearing birth certificates and marriage licenses not because they wanted to obtain a government document, but because they needed help accepting a terrible reality.

Jeff Davidson, 32, applied for a death certificate for his brother, Mike, a 27-year-old trader at the hard-hit brokerage firm Cantor Fitzgerald.

"He wasn't just my brother, he was my best friend," Davidson said. "I'll never be able to go out to a restaurant, have a cigar or watch a football game with my brother. That's gone forever. How can a piece of paper help?"

Process is streamlined

City and state officials have teamed up to speed the process of obtaining death certificates for missing World Trade Center victims. Usually, a missing person's kin must wait three years before seeking a death declaration, which allows access to insurance benefits and bank accounts.

More than two weeks after the attack, only 300 people have been confirmed dead. Another 6,300 remain missing in the Trade Center rubble.

As the possibility that some bodies may never be recovered grows, several family members said they were seeking some type of proof that their loved ones are dead.

"It's terrible, but it's something we've got to do," said Matthew Sellitto of Harding Township, N.J., whose 23-year-old son worked for Cantor Fitzgerald. "My hope now is that I can bring a body home for a proper burial."

Other relatives saw the task as a sad but necessary formality.

"Life goes on. It's hard to say that, but that's a fact of life," said Clive Sohan of Hazlet, N.J., whose daughter, Astrid Sohan, 32, worked on the 95th floor of Tower One.

"We'll never forget it, but we have to ease the pain as we go on."

Many family members carried a copy of the missing-person flyers they'd created in the days after the attack. The posters became bittersweet symbols of the hope for rescue that is now gone.

Inside the aid center, counselors and other volunteers guided relatives to a waiting area, where they took seats and numbers. Some people petted specially trained therapy dogs brought in to soothe nerves.

Then the family members were escorted to one of many tables set up in a large conference room. Separated by dividers, each relative or group of family members met for about 30 minutes with volunteer lawyers who helped them complete a petition asking a court for a death certificate.

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Family members also signed affidavits swearing that the missing person worked at the Trade Center and had gone to work on the morning of the attacks.

Seeing the black-and-white words — New York State Death Certificate Request Form — was too much for some to bear.

Little form's big meaning

"It's emptiness, that's all it is," said Warren Fiedel, 54, whose daughter, Kristen Fiedel, 27, worked in the finance department of a Trade Center firm. "I'll never see my daughter again."

Lawyers fought off tears, too, saying that they tried to keep their composure to help victims through the process.

"It was very emotional," said attorney Pete Danias. "There was a box of tissues on my desk, and it definitely needed to be replenished."

For some, obtaining a death certificate was a pressing matter of making ends meet.

Melenia Gil, 40, a part-time nursing home aide from Washington Heights, relied on payments from her ex-husband to feed her two children, ages 11 and 16.

"It's very difficult, because he was the one who gave all the support to the children," said Gil, whose ex-husband, David Rodriguez, worked at the Windows on the World restaurant at the top of Tower One.

Computer technician Alfredo Bordenabe, 33, of Old Bridge, N.J., said he can't survive financially without the salary of his wife, Krystine, 33, a missing sales assistant for a Trade Center firm.

"We were just making it as it was on two salaries," said Bordenabe, whose wife was eight months pregnant with their first child.

"For me to make it alone, with all the bills coming in, that would be tough."

Hope still remains

William Wilson, 54, left Pier 94 in a daze. He had sought a death certificate for his wife, Cynthia Motus-Wilson, 53, who was a receptionist at the Trade Center. They married five years ago, after his first wife died of breast cancer.

"In a legal way, it's closure," said Wilson, an MTA car maintenance worker. "But without any body, it's hard for me to go forward."

Elizabeth Rivas, whose husband is missing, and her son, Alex Barragan, signed the forms, but didn't give up hope that Moises Rivas will be found alive.

"We want him to come home," said Barragan, Rivas' stepson, who wore a T-shirt printed with a "Wanted" poster for terror suspect Osama Bin Laden.

Hoping against hope, Barragan said that if Rivas were to be found alive, "I'm definitely going to the court to get rid of those papers."

The assistance center, located at W. 55th St. and the West Side Highway, is open daily from 9 a.m. to 7 p.m. for consultations with the volunteer attorneys.

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