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FDNY Charges Dropped

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Charges against 17 of 18 firefighters arrested in a Nov. 2 melee with police at Ground Zero will be dropped, Mayor Rudolph Giuliani and Manhattan District Attorney Robert Morgenthau announced yesterday afternoon.

Giuliani, who had earlier publicly chastised those arrested and called for their stiff prosecution, recommended the action after conferring with relatives of firefighters who died Sept. 11. He also cited strain between firefighters and police as a reason for the dismissals.

Morgenthau, in a highly unusual appearance at the City Hall news conference, said the charges being dropped against the 17 included such misdemeanor citations as trespassing, disorderly conduct and obstructing governmental administration.

Charges will stand against one firefighter, Sean Nealon, alleged to have struck a police officer during the confrontation, Morgenthau said.

"We will move . . . to dismiss those cases in the interests of justice, in light of all the circumstances — of extraordinary heroism of the firemen, policemen, the stress and emotional strain of all those involved," he said.

The firefighters were arrested after a heated protest led by two Fire Department unions at the site of the World Trade Center turned violent.

The firefighters were demonstrating against cutbacks in staffing of the recovery effort at Ground Zero. Many firefighters said they believed that Giuliani made the staff reductions to ready the site for reconstruction, at the expense of the proper removal of their fallen comrades.

Giuliani has since tried to mend the rift, announcing Thursday that he was increasing the number of firefighters working at Ground Zero from 24 to 50.

Steven Rabinowitz, attorney for several of the defendants, called Giuliani's decision "wonderful."

"We had certainly hoped a diplomatic resolution ultimately would be arrived at," Rabinowitz said in an interview. "I'm very pleased the mayor, the police commissioner, the fire commissioner and the district attorney are doing the right thing."

Rabinowitz said he "didn't see any strain at all" between police officers and firefighters since the melee.

Tom Butler, a spokesman for the Uniformed Firefighters Association, said: "All along, our position has been that this wasn't right."

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