

September 2011

The Gold Shield

*Official Publication of the
Detectives' Endowment Association, Inc.
of the Police Department
of the City of New York*

SPECIAL EDITION

**REMEMBERING
9.11**





An Official Publication of the
DETECTIVES' ENDOWMENT
ASSOCIATION, INC.

*"Representing the
Greatest Detectives
in the **WORLD**"*

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THE GOLD SHIELD
is published by the
Detectives' Endowment
Association, Inc. of the
Police Department,
City of New York.

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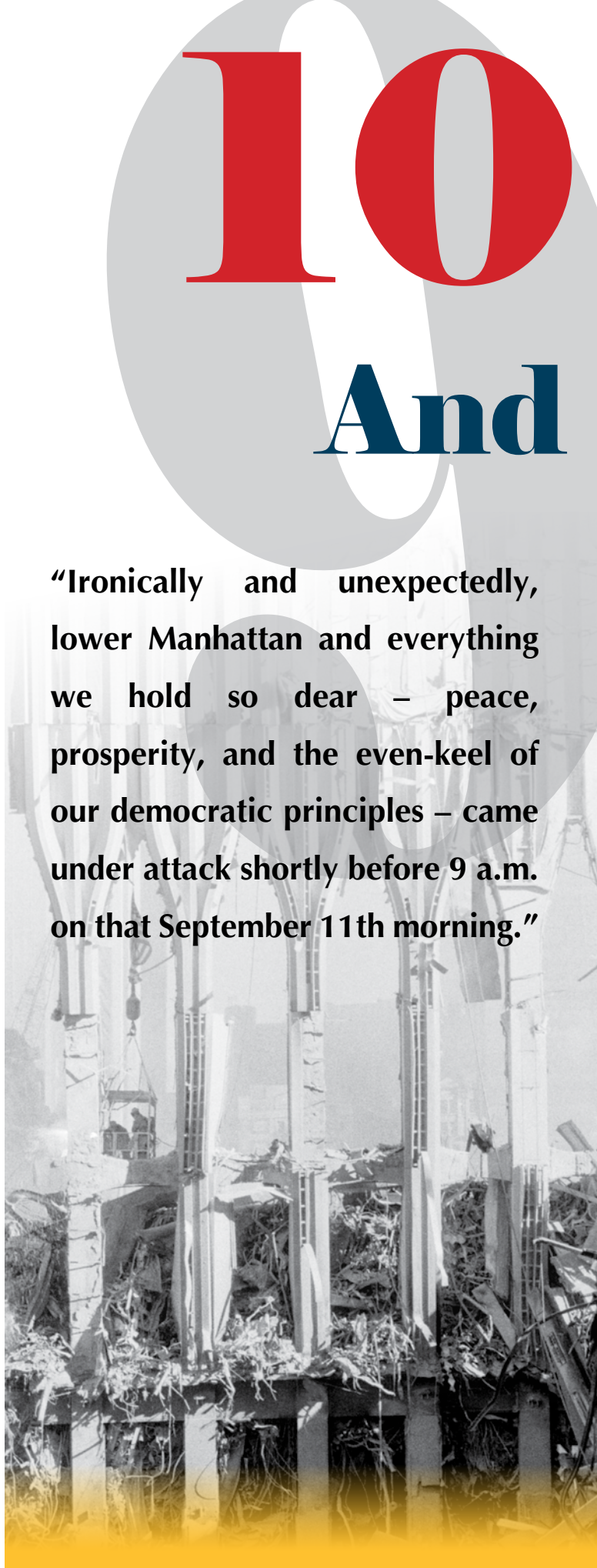
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And

**"Ironically and unexpectedly,
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our democratic principles – came
under attack shortly before 9 a.m.
on that September 11th morning."**



Years Ago...

“The morning of September 11, 2001, held the routine sense of peace and promise that most Americans have come to take for granted.”

10 Years After

by President Michael J. Palladino and Editor Sam Katz

The morning of September 11, 2001, held the routine sense of peace and promise that most Americans have come to take for granted. The democratic spirit of our nation permeated our City as voters hustled to the polls in the early morning to participate in the Democratic Primary.

In lower Manhattan, it was a magnificent, sunny day with a crystal blue, cloudless sky. The fall season had just begun, school children were back in class, families were home from summer vacation, and millions of New Yorkers had returned to their daily routine of a hard day's work.

There is no area of the City that reflects America's work ethic and the struggle for its soul more than lower Manhattan: Wall Street, the nation's center of finance; City Hall, the seat of New York City's government; and our Courts, the backbone of our justice system. It's home to many of the City's civil service and labor organizations, representing the hundreds of thousands of men and women who make this vast and complicated metropolis function.

But, ironically and unexpectedly, lower Manhattan and everything we hold so dear – peace, prosperity, and the even-keel of our democratic principles – came under attack shortly before 9 a.m. on that September 11th morning. Suddenly, the comfort so commonplace to us was replaced with death and despair as two huge, hijacked jumbo jetliners plunged, one after the other, into the gleaming reflective twin towers of the World Trade Center, shattering glass, steel, thousands of lives, and our nation's spirit in an unprecedented explosion of terror, and a blinding flash of war against an unknown enemy. As the bizarre, sketchy scenario unfolded, all of America — glued to the tragedy through television, radio, and the internet — realized the magnitude of what had occurred and the damage that was being inflicted upon us.

New Yorkers immediately knew a rescue response was desperately needed. And no one recognized it faster than those who handle emergencies on a daily basis: the men and women of the New York City Police and Fire Departments.





Rushing to the scene of horrific destruction, they quickly became known as the "First Responders." They mobilized to the World Trade Center and surrounding area within minutes to usher as many people as possible to safety and evacuate all buildings in the vicinity of the raging fires and crumbling debris. The DEA Board of Officers and our union Delegates were in Queens at a routine, monthly Delegates' meeting when the attacks occurred. Immediately, the meeting disbanded and everyone on duty was mobilized as per the dictates of each member's command.

As unimaginable as the carnage caused by the impact of the planes and the implosion of jet fuel was, it soon multiplied with the collapse of the buildings: first the South Tower, then the North, and by the early evening, number 7 World Trade Center.

Because on and off-duty police, fire, emergency medical technicians and other trained personnel, including

retirees, moved so quickly to respond, countless lives were saved. The effort put forth by these first responders, who disregarded their own health and safety in a collective and selfless act of heroism and bravery, must always be remembered. The massive and expeditious response sent a clear message to those responsible for the attacks that America would quickly rise up from the rubble and forge onward. Within hours, what was once the World Trade Center became known as Ground Zero and the City, responding to the magnitude of loss, set up makeshift morgue locations to accommodate the ever-increasing body count. Later, the ironically named Freshkills Landfill in Staten Island became the site where debris was sent to be sifted in a desperate search for body parts of thousands of people and vestiges of what were once three skyscrapers, millions of inanimate objects inside them, and two crowded Boeing 767s.

Murdered that day were nearly 3,000 people, including 343 members of the FDNY, 23 members of the NYPD including ESU Det. Joseph Vigiano and Bomb Squad Det. Claude (Dan) Richards, 37 members of the Port Authority Police Department, and many EMTs, paramedics, Court Officers, federal employees, as well as many retired members of the service who worked in various capacities in the targeted buildings.

As time passed, the around-the-clock rescue mission eventually gave way to a long, protracted recovery effort, as we began to find and bury our fallen heroes and civilians. The outpouring of love and support from people throughout the United States enabled the DEA to collect and distribute more than \$1.2 million for the families of those who made the ultimate sacrifice. The DEA worked carefully to allot the monies exactly in accordance with the wishes of each donor, down to the penny.

While there was nothing anyone could do to bring back the deceased, the living, toiling in emotionally and physically grueling conditions, became of utmost priority. Citing the unprecedented nature of the disaster and what he called the "questionable environment" members were laboring under, the DEA's then-president Thomas J. Scotto commissioned an air quality and environmental study of the sites within days of the initial attack. The Staten Island Landfill was solely a Detective and FBI operation and until the union stepped in, members were not being given proper protective gear or appropriate decontamination areas. The study, by Emilcott Associates, Inc., yielded certain recommendations that were vital in ensuring the health and safety of all NYPD

personnel as best as possible. Their report found that on several occasions the asbestos and other toxin levels were greater than the OSHA permissible exposure levels.

The union demanded that all necessary precautions be taken immediately: that the NYPD and FEMA provide a professional health and safety officer on site to manage all aspects of the operation and that they erected a proper staging area. Before the union made these requests, there were more than 400 NYPD and FBI officers assigned each tour with only four showers. The union wanted more showers and towels and for the NYPD to insist they be used. The union wanted officers assigned to the detail to have lockers to change their clothing, have appropriate clothing to change into, have professional laundry services who handled the clothing carefully afterwards, and for all personnel to have the opportunity to put their street clothing on before departing for home. The DEA also insisted upon daily laboratory testing of the air and soil at the site, with results being offered to our fellow unions, and that all safety precautions take precedent before any rush to perform, since the rescue efforts were over and the criminal investigation and recovery should not trump the lives of our members.

By October 3, 2001, officials from the five police unions met with then-Chief John Beirne of Labor Relations and

other representatives of the Police Department to make various additional requests. The DEA thought it was in the best interests of its members to minimize exposure to the Landfill assignment and requested that no one perform more than one day per week at Freshkills, and that everyone receive a minimum of eight hours between assignments, except for the Precinct Squad turn-around tour. The union insisted that Detectives assigned to the Landfill be well rested to keep their immune systems up to par, so for Precinct Squads, we recommended no one be sent to the Landfill more than once per set of tours, and that Detectives be assigned off the first 4 x 1 or the last day tour, eliminating any short period between tours. Because of the workload, the union thought Precinct Squads should not be assigned to additional details. We recommended that Detectives assigned to other com-

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mands be monitored to ensure that they, too, had flexible assignments that did not overwork them and place their health in jeopardy.

The DEA also wanted a certified doctor to be assigned to each tour of duty, and that no person with asthma, a heart condition, certain allergies, blood pressure problems, or females during a pregnancy or a menstrual cycle be assigned to the Landfill. We also suggested that documentation of any adverse reactions to the Landfill be recorded, and that the Department supervise the wearing of proper facial masks, protective overalls and foot gear.

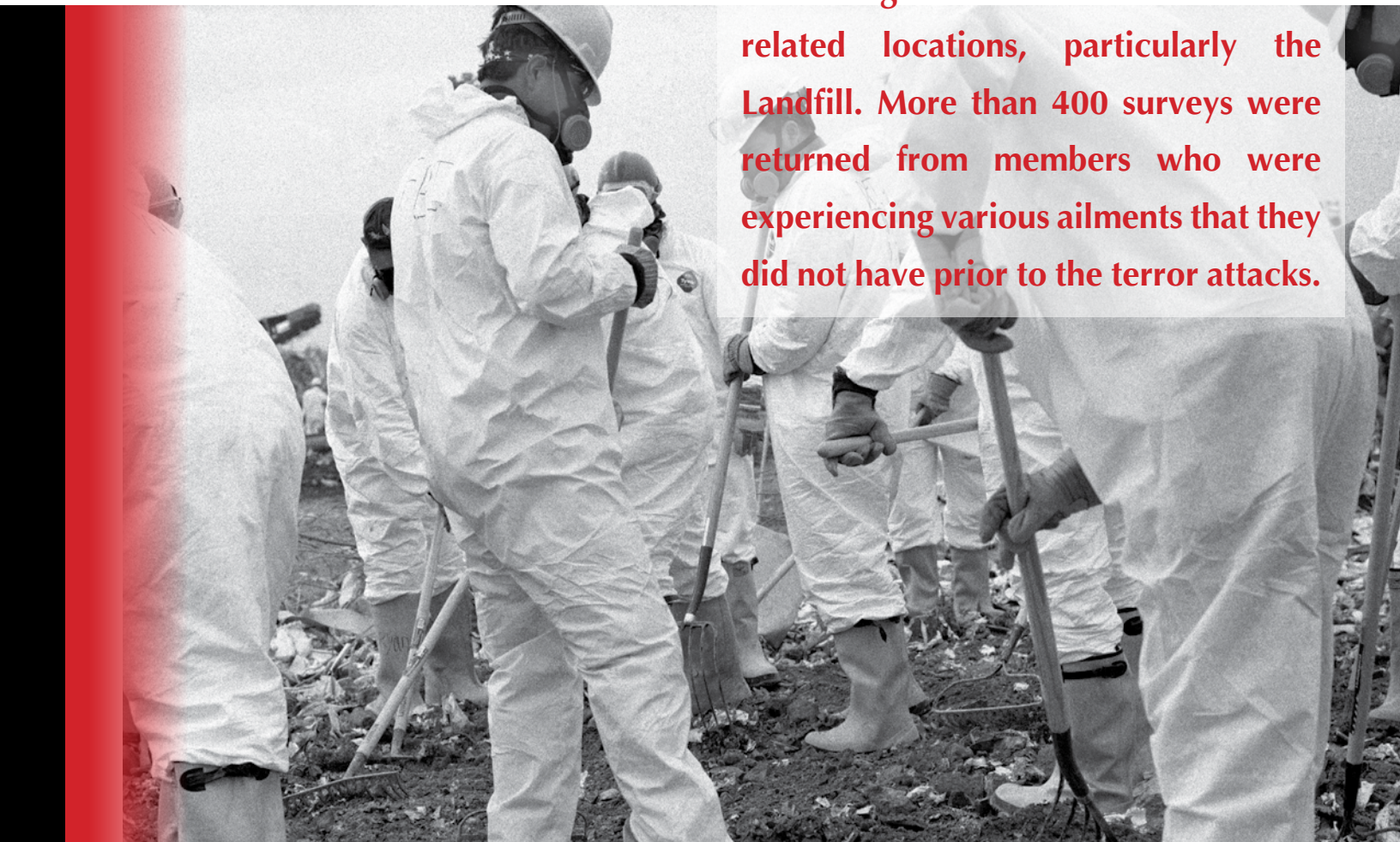
Ultimately the City accepted many recommendations and implemented safety measures, and in October of 2001, a medical hotline was established for members of the service who were experiencing problems with their World Trade Center-related exposure.

As early as 2002, the DEA conducted a medical survey of our members who were assigned to the World Trade Center-related locations, particularly the Landfill. More than 400 surveys were returned from members who were experiencing various ailments that they did not have prior to the terror attacks.

As our work continued — first for weeks and then for months — at Ground Zero, the Landfill, and the Morgue, members of the service started showing signs of peculiar illnesses: pulmonary issues, breathing and sleeping disorders, and ultimately rare cancers, black lung disease, benzene and jet fuel poisoning, and other unusual ailments and conditions.

By February 2002, the police unions, feeling it was absolutely necessary, asked the Police Relief Fund to authorize \$85,000 as seed money to implement a program that would monitor a select group of NYPD members for respiratory ailments resulting from exposure to the World Trade Center-related sites. The initial investment of \$85,000 was sufficient to get the program started, but all involved knew that additional funds would be needed to continue into the future. Commissioner Raymond Kelly indicated his willingness to seek the needed additional funds from the City and also pledged to support a Departmental repayment of the seed money to the PRF.

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The DEA and other line organizations raised the health issues with City officials who immediately rushed to denial and dismissed any causal relationship between assignment and sickness. It quickly became evident to union leadership that it would take legislative intervention to compel the City to accept and meet the responsibility owed to the heroic first responders.

On February 11, 2002, U.S. Senators Joseph Lieberman and Hillary Rodham Clinton held a hearing billed as "Air Quality at the World Trade Center" at the U.S. Customs Building in New York City. DEA President Scotto and others appeared before this committee to express their specific concerns regarding the aftermath of September 11th. Testimony was given by Dr. Kerry Kelly, Chief Medical Officer of the New York City Fire Department. She testified that immediately following September 11, 2001, the FDNY was able to secure funding from the Center for Disease Control (CDC) and she implemented a program whereby the FDNY monitored the physical condition of members of the Fire Department on a periodic basis. She stated that approximately 25% of those tested displayed serious respiratory problems.

It was apparent there was a desperate need for the NYPD to implement a similar or more comprehensive program. Other doctors who testified at this hearing clearly expressed their deep concerns about the long-term negative effects that might occur to those who were exposed to World Trade Center debris.

Dr. Stephen M. Levin, Medical Director of the Mount Sinai Center for Occupational and Environmental Medicine, stated that it was imperative to treat respiratory ailments as soon as possible, as failure to do so could lead to serious medical conditions that could be disabling and even fatal. Based upon the testimony of these experts, the DEA and others believed that the NYPD and the City needed to implement an on-going monitoring and evaluation program as quickly as possible.

The DEA continued to work closely with U.S. Senator Clinton to secure federal funds to test New York Police Officers and construction workers exposed to the debris at Ground Zero and the Staten Island Landfill. In June 2002, the federal government granted \$12 million to establish a program to provide physical exams to the responders and workers. It was named the World Trade Center Worker and Volunteer Medical Screening Program of the Mount Sinai Center for Occupational and Environmental Medicine. Several other medical facilities participated in the initial examinations besides the famed Mt. Sinai Hospital in Manhattan.



“Other doctors who testified at this hearing clearly expressed their deep concerns about the long-term negative effects that might occur to those who were exposed to World Trade Center debris.

Many other programs sprung up to assist those suffering from various effects of the World Trade Center attacks, including those designed to tackle Post Traumatic Stress Disorder and other psychological issues. Over the years, Senator Clinton and others assisted in securing millions of federal dollars for the Mt. Sinai program, including funding to allow treatment of the diseases being flagged in workers who logged significant hours amidst the rubble of the disaster.

Once it was understood and medically accepted that the World Trade Center attacks left members of the service vulnerable to serious health problems, the police unions turned their attentions to the unprecedented issue of service versus disability retirement. Never before in Police Department history had the issue so prominently reared up concerning retirees falling ill after retirement because of their work during their active service. Traditionally, in order to retire on a disability pension, a member of the service had to be injured or fall prey to a heart attack while still on the job. But the World Trade Center situation changed all that. Active members were being forced to retire because of their debilitating medical conditions. It was recognized that

retirees might also fall ill to unusual ailments or conditions from their exposure to Ground Zero or the Landfill after they had retired.

By August 2003, a campaign by the various labor unions was well under way to secure a World Trade Center Disability bill. Introduced by State Senator Martin Golden and Assemblyman Peter Abbate, Jr., the City and State battled hard against this legislation, arguing that safeguards were not in place against frivolous claims, and that the bill was so open-ended that even “tendonitis, lower back pain, muscle or joint strains,” could be considered an ailment; but it was a flippant and erroneous response. In reality, the legislation was designed to address the specific illnesses and injuries consistent with the health problems being experienced by first responders, chiefly respiratory illnesses, such as bronchitis, or cancers, chemical poisonings, gastro-intestinal diseases, and any other chronic illnesses that cause obstruction to the pulmonary system.

The City also criticized the tracking system put in place to verify those who worked at the World Trade Center-related sites. But the unions argued the tracking system was not flawed, and that Mount Sinai Hospital’s program was well-monitored and controlled. Furthermore, police had to utilize their own traditional methods of proof of service, including roll calls, memo books, and other notations to prove their service at the various World Trade Center-related sites.

Finally, the City’s biggest argument, of course, was that the legislation would be cost-prohibitive, and the unions countered with the notion that first responders could also not “afford” a debilitating or terminal illness, and that when tragedy struck our nation, thousands of public servants unhesitatingly rushed to the World Trade Center site to assist the injured and remove the dead. These dedicated workers did not think of themselves or the potential exposure to hazardous conditions and elements. The long-term effects of their heroic actions were not yet known and the bill would ensure that in the event of future emergencies, the next generation of first responders would not have to hesitate before running into the fray. The legislation was amended and worked on relentlessly for more than two years with the recognition that any flaws detected could be corrected through chapter amendment.

The City persisted with their principal argument: the “financial burden” the Mayor and his actuaries claimed the bill would place on the City of New York. But their calculations were grossly exaggerated. In reality, the cost

was less than \$5 million maximum per year on the City’s pension systems and decreasing in cost year by year, because some applicable departments, such as the FDNY, already had their own presumptive lung and cancer bills, and a good number of eligible firefighters, for instance, already retired under their own legislative allowances.

Eventually, with assistance from many, including State Senator Joseph Bruno, Assembly Speaker Sheldon Silver, the Governor’s counsel Ken Riddett and Ed Bartholomew, and other labor unions, especially those represented by the Metropolitan Police Conference and the Public Employees Conference, the bill became law. On Tuesday, June 14, 2005, Gov. George Pataki signed bill

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S.5657/A.8790, the 9/11 Presumptive Disability bill, in a historic ceremony at Ground Zero, surrounded by dozens of first responders, labor leaders, and the press. A Worker Protection Task Force, to which DEA Legislative Director Lou Matarazzo was assigned, was set up under the New York State Department of Labor to handle continuing World Trade Center legislative issues. A registry was established for NYPD members of the service to be eligible for the stipulations of the bill. The deadline for filing the Notice of Participation with the Pension Section was extended legislatively many times, but finally closed on September 11, 2010. The NYPD Pension Section web-

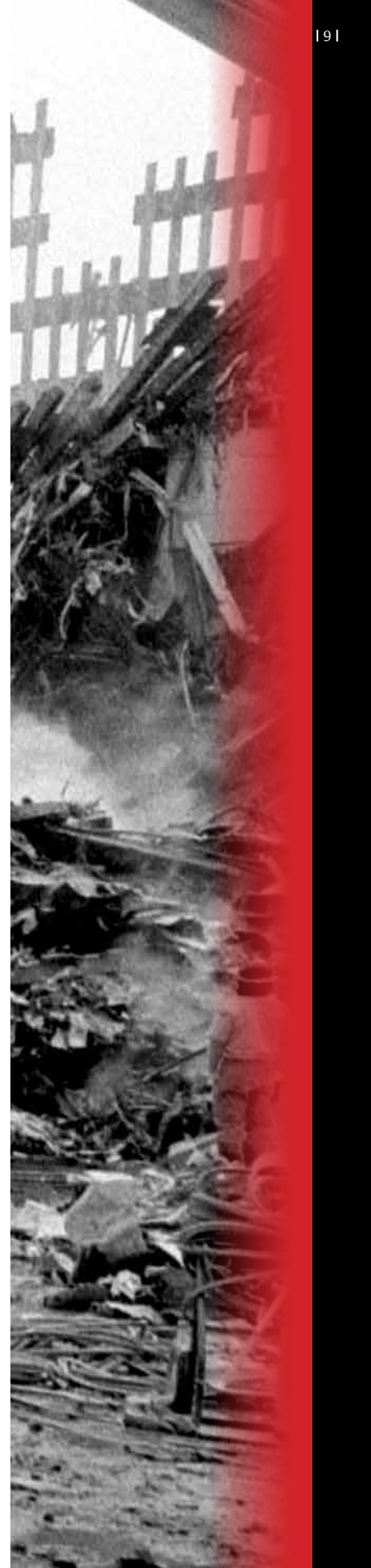
site lists the Tax ID numbers of those who filed in time and are now eligible for the stipulations of the bill if their health fails.

Although a major victory for first responders, the after-shock of the World Trade Center disaster still was being felt acutely on many fronts. The country was deeply embroiled in an international campaign against a nefarious, loosely connected collection of radicals, most notably Al Qaeda and the Taliban, whose network of terrorists had cells in every corner of the world. Many members of the service were called up on reserve duty to fulfill the mission of our nation's volunteer Armed Forces. In an unprecedented manner, the NYPD had begun assigning our own Detectives to select liaison posts overseas. A daily reminder of the battles and the bloodshed stood at home between West and Greenwich streets in the still empty hole that was Ground Zero. And the media carried daily accounts of the on-going debate about rebuilding the site and the various proposed memorials.

Then, on January 5, 2006, the events of 9/11 took another unprecedented turn for the members of the DEA. Thirty-four-year-old retired Manhattan South Homicide Task Force Det. James Zadroga passed away after a long, protracted combination of illnesses. Living at his parents' home in New Jersey, where he was forced to move with his young daughter, Zadroga had been relegated to a wheelchair and remained on oxygen around-the-clock. A once bearded bear of a man, he retired in October 2004 because of respiratory and digestive diseases contracted from his work on the rescue and recovery efforts of the 9/11 attacks. A few weeks later, on February 28, Dr. Gerard Breton, MD of the office of James H. Kaye, Medical Examiner of Ocean County, New Jersey, issued an official statement: the cause of death for Det. Zadroga was "respiratory failure due to *panlobar granulomatous pneumonitis* (history of exposure to toxic fumes and dusts)" and summarized that it was "felt with a reasonable degree of medical certainty that the cause of death in this case was directly related to the 9/11 incident." It was the first time a Medical Examiner linked the death of a member of the service to the rescue and recovery effort. This spun the 9/11 Disability issue around once more. If a retired member of the service could have a pension reopener for a 9/11-work-related illness, what now happened when that same work-related illness ultimately caused the member's death? Again, it was an unusual situation for the New York Police Department: should a line-of-duty death be declared for an already retired member? The DEA felt strongly that the answer was yes. The World Trade Center events necessitated revamping traditional Police Department policy.

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By August 2006, the City and the unions were once again battling over legislation. The Mayor asked Gov. Pataki to veto the Death Benefit bill. The DEA challenged the City's claims that the proposed death benefit legislation had "unmanageable precedents" and "countless technical deficiencies and ambiguities" and charged that the City's presentation was "fraught with errors, inaccuracies and was grossly unfair" to the men and women who sacrificed themselves during and after the 9/11 attacks. There were first responders sick and dying because of their selfless



duty to the citizens of New York, and furthermore, any issues with the bill could be corrected through chapter amendment. The DEA asserted that “the families of our brave first responders should not have to wait any longer or suffer further indignity as a result of the City’s current delaying tactics in trying to circumvent and squash” the legislation.

The City tried to capitalize on the uniqueness of the post-retirement situation by claiming it was, “unprecedented for a public retirement system to pay an accidental death pension to the survivors of a person who dies after retirement from an injury or illness resulting from his or her employment prior to retirement.” But the DEA pointed out this was not correct and that City death benefits were being extended to certain retired members of the service who were killed while working at the World Trade Center in various civilian capacities at the time of the attacks. Furthermore, there had been situations in Police Department history, such as the case of Billy Gunn, who was shot on January 20, 1989 while attempting an arrest in Brooklyn and who remained in a coma until his death on

November 27, 1992. When Gunn expired, his death was designated “line of duty.” What was unprecedented, however, as the DEA pointed out, were the events of 9/11 and the types of injuries, illnesses and diseases that were resulting. Said DEA President Michael Palladino, “We cannot limit our ability to take care of our first responders by drawing from our limited well of past experience.”

The World Trade Center Disability bill, as a prerequisite for the Death Benefit bill, alleviated the State’s concerns about eligibility, and additionally the Death bill was written with a 25-year cap. The cost factor was even less of an issue than it was with the Disability bill. But, the City continued to fight dirty by disparaging the causes of Zadroga’s death.

Only four days after the DEA expressed its strong opinion to the State, on August 14, 2006, Governor Pataki, once again, journeyed to Ground Zero to sign the 9/11 Death Benefit — known as the Zadroga Bill — into law. As the Worker Protection Task Force continued to fine tune the 9/11-related benefit bills, further amendments to the Zadroga bill were also finalized and signed into law by Gov. Eliot Spitzer on March 14, 2007.

These hard-fought bills granted Det. Zadroga’s family full death benefits for his daughter Tyler Ann and finalized Zadroga’s case as the first official NYPD 9/11 line-of-duty death, paving the way for others to be added to the official Honor Roll roster and memorial walls of the Police Department. Sadly, many other members of the service have since died and others continue to fall gravely ill. Union Secretary Kenny Sparks and DEA attorney Karen Pakstis handle the disability cases of DEA members before the NYPD Pension Board, while at LeFrak City, retirees John Minerva and Artie Williams are on call to advise members about their medical disability concerns.

Looking back with what we now know about the long-term effects of our 9/11 work, it’s evident that had DEA President Tom Scotto not been so very adamant about an environmental review of the World Trade Center sites, the illness and death toll experienced by our members and all first responders would have been much greater. The early precautions taken to secure proper equipment and implement appropriate work procedures undoubtedly saved countless lives. And had it not been for the indefatigable energy of Joseph and Linda Zadroga, James’ parents, who fought tirelessly to imbue meaning into the death of their only child, attention might not have been paid as readily to the unfortunate plight of our sick and dying officers.



The union also owes a debt of gratitude to Police Commissioner Raymond Kelly for his support of the members of his Department and their beleaguered families.

Standing shoulder-to-shoulder with the Commissioner, the police and fire labor leaders from New York City and New York politicians — most notably Congresswoman Carolyn Maloney, Congressman Jerrold Nadler, and Senator Kirsten Gillibrand — lobbied long and hard in Washington, DC to secure federal funding through the passage of the 9/11 Health and Compensation Act. Also known as The Zadroga Bill, this federal legislation will provide approximately \$1.8 billion for health monitoring and treatment of first responders, along with an additional \$2.5 billion to resurrect the WTC Compensation Fund, for a total package of \$4.3 billion. Despite some

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debate and partisan politics that surrounded this undertaking, Republicans and Democrats ultimately came together and President Obama, who supported the bill, signed it into law as promised on January 2, 2011. Despite the recent pronouncement that cancer will not be covered under this bill, members should be aware that the New York State laws — the aforementioned 9/11 Presumptive Disability bill and the 9/11 Death bill — were created to cover the various forms of cancers showing up in our members because of their 9/11-related work. The DEA will remain in constant contact with Congressional staffers to pass along information on the federal bill as it becomes available.

The past 10 years have been unprecedented in so many ways for the New York City Police Department. Although

the architect of the 9/11 attacks, Osama bin Laden, is dead, his disciples flourish and counterterrorism remains the highest priority for our City and State. But it is only one of the many facets of our daily work as Detectives. Today, our members routinely interact with and travel to jurisdictions throughout the country and the world for every reason, from fighting global terrorism to cybercrime to solving a local homicide to performing disaster relief. We can respond anywhere at anytime, but we can never be sure from where our enemies might attack. Their weapons get more powerful, but our financial resources and our manpower can never keep pace. Our nation is still engaged in two wars in Iraq and Afghanistan, and our members are still routinely called up or volunteer for military service.

The DEA will never forget the sacrifices our Detectives made that fateful day 10 years ago in September and ever since. We *cannot* forget, because our members are still suffering, falling sick and dying from the health ramifications of their unselfish acts of bravery. It is astounding, however, how quickly others forget, especially many of our politicians and media pundits. Despite the extraordinary work that we and other first responders have done and continue to do, our nation's economic woes, which started on 9/11 and never fully recovered, have now prompted our own municipalities to attack and battle us for our pensions and health benefits.

Despite it all, it remains our duty as New York City Police Detectives to always remain vigilant, to serve on the front lines as first responders, and to run even "where the brave dare not go." And, it's your union's job to support you, no matter where you are or whatever your assignment. We at the DEA vow to rise to your defense, so that you can be confident that while you're serving and protecting this great City and our great nation, you and your family will be looked after with the care and concern you so richly deserve.

Reflecting forward or back on 9/11, as on all our days, remember this: the doors of the DEA are always open to you, as are our hearts.

God bless you all.





REMEMBERING 9.11

Photography by
John Botte



Photographs on front and back covers, as well as pages 2-6, 9-10 and 12-14, courtesy of Ret. Det. John Botte.

These astonishing black and white photographs of Ground Zero were taken by Det. John Botte, who retired out of the Technical Assistance and Response Unit in 2003 because of his respiratory ailments resulting from 9/11. A photographer since his early teens, Botte was appointed to the force in January 1987 and earned his gold shield in May 1991. He spent many years in the Crime Scene Unit and earned second grade in May 2001. In 2006, he published *Aftermath, the Unseen 9/11 Photos by a New York City Cop* under the Judith Regan and Harper Collins imprint.

The hardback coffee table book stands as an exquisite and powerful portrait of the hours and days after the World Trade Center attacks. The book was called an extraordinary historical record "that stands to become the definitive photographic retrospective of September 11." Some of those striking photographs, which had been cropped for the book, have now been printed in their entirety in large format and will be on display in an exhibition being curated

by renowned photographer Timothy White and presented by the Morrison Hotel Gallery. "John Botte, The 9/11 Photographs" can be seen at the Gallery at Calumet, 22 West 22nd Street, second floor, in Manhattan from September 4-24, 2011, M – F, 8:30 to 6:00, Sat. 9:00 to 5:30 and Sun. 12:00 to 5:00.







EMILCOTT ASSOCIATES, INC.

ENVIRONMENTAL, SAFETY & INDUSTRIAL HYGIENE

September 28, 2001

Mr. Tom Scotto, President
NYC Detectives Endowment Association, Inc.
26 Thomas Street
New York, NY 10007

Re: Preliminary Report on the H&S Evaluation of the Fresh Kills Supporting the WTC Disaster Recovery

Dear Mr. Scotto:

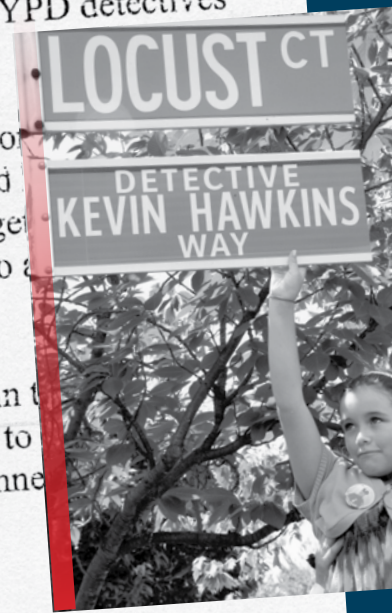
On 27 September, 2001, representatives of Emilcott Associates, Inc. (Doug Ogden and Bruce Groves, CIH) conducted a walkthrough survey of the Fresh Kills Landfill operation supporting the WTC disaster. Emilcott was asked by the NYC Detectives Endowment Association (DEA) to conduct a third party operation to identify issues that may impact the health and safety of the NYPD detectives working at the landfill.

Emilcott recognizes that this is an emergency operation responding to a horrible disaster where many lives have been lost. Overall, we were highly impressed and grateful for the energy and willingness of all personnel involved in this operation to get the job done and to do the right thing. The cooperation displayed by Inspector Luongo and the NYPD staff at the Fresh Kills Landfill was extraordinary.

The comments and recommendations summarized below and presented in the report and photos, focus on items that need immediate attention in order to achieve the greatest improvements to the health and safety program of NYPD personnel at this operation.

The summary of our findings is as follows:

- There is evidence and data showing that the WTC debris contains asbestos and as such creates an inhalation exposure potential to NYPD personnel working on this site.
- Health and safety on this site is continually evolving. Additional program elements are required to provide the generally accepted standard of care.
- No organization is coordinating the overall H&S activities, strategy and information for this site. As such, information that may be useful for one group is not being shared.



WTC

Related Resources

The World Trade Center Medical Monitoring Program of Mt. Sinai (Now part of the **World Trade Center Health Program**)

(888) 702-0630 or (888) 982-4748
www.wtcexams.org

NYPD Retiree Hotline for World Trade Center Health (866) WTC-NYPD or (866) 982-6973

9/11 Health -- City of New York Health Department www.nyc.gov/html/doh/wtc/html/home/home.shtml

The World Trade Center Health Registry For existing enrollees only (866) 692-9827 www.nyc.gov/9-11healthinfo

Inner Imaging Body scans (212) 777-8900 for an appointment Call DEA Health Benefits at (212) 587-9120 for your voucher

POPPA (Police Organization Providing Peer Assistance) (800) COPS-COP for active MOS hotline (800) 599-1085 for retiree MOS Hotline (212) 298-9111 to volunteer www.poppainc.com

Police Self Support Group (718) 745-3345

NYPD Early Intervention Unit (646) 610-6730

NYPD Counseling Unit (800) 431-4666 or (718) 834-8433

NYPD Military & Extended Leave Desk (MELD) (646) 610-5513

Courtesy Military Photographic Portraits NYPD Photographic Unit (646) 610-6082 for your CO to schedule your appointment

AFLAC Protection Policies Accident, Cancer, Dental Supplement, and/or Hospitalization Joe Pernice or Stephen DeMaria (800) 564-2775 or (212) 679-9807

Mechanic & Associates, Inc. Life Insurance (845) 624-3800 or (888) 669-3800 www.mechanic-insurance.com

Karasyk & Moschella, LLP Simple wills, living wills, health care proxies (212) 233-3800 or www.kmattorneys.com

DEA Health Benefits Office (212) 587-9120 or www.nycdetectives.org For dental, optical, prescription drugs, Annuity Fund, change of address or other personal info, such as dependents, beneficiaries, births, deaths, marriages

DEA Disability Pensions Ken Sparks, DEA Secretary or Karen Pakstis, Attorney (212) 587-1000

DEA Disability Consultants John Minerva or Artie Williams (718) 760-7582

NYPD Chaplains' Unit (212) 473-2363

STATE OF NEW YORK

3659--B

2005-2006 Regular Sessions

IN SENATE

March 24, 2005

Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to providing that any injury or illness, including future manifestations, even after retirement, for occurrences directly related to the terrorist attack on September eleventh, two thousand one be presumptively eligible for an accidental disability (Part A); and to enact the September 11th worker protection task force act; and providing for the repeal of such provisions upon expiration thereof (Part B)

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act enacts into law major components of legislation
2 which are necessary to enact this chapter of the laws of 2005. Each
3 component is wholly contained within a Part identified as Parts A
4 through B. The effective date for each particular provision contained
5 within such Part is set forth in the last section of such Part. Any
6 provision in any section contained within a Part, including the effective date of the Part, which makes reference to a section "of this act",
7 when used in connection with that particular component, shall be deemed
8 to mean and refer to the corresponding section of the Part in which it
9 is found. Section three of this act sets forth the general effective
10





SANDRA Y. ADRIAN

Det. Sandra Y. Adrian died on January 11, 2006 at age 45 of brain cancer contracted as a result of her work on the World Trade Center rescue and recovery efforts, particularly at the Freshkills Landfill. Det. Adrian was a 19-year veteran of the Department who earned six recognitions for excellent and meritorious police duty. She was appointed to the New York City Housing Police in July 1987, and was promoted to Detective in Housing in March of 1995. The Departments merged in May 1995, and in June 2002, Adrian was promoted to Detective second grade. During her career, she served in the Internal Affairs Bureau, her command at the time of her death. She was remembered as always pleasant and “fun to be around,” dedicated, mild mannered, low-keyed, and loyal to the Department. She is survived by her brother Jaime and her sister Liz. Det. Adrian’s death, which occurred while she was an active Detective, was officially declared line of duty in 2009 when her name was unveiled on the NYPD Memorial Wall.



KEVIN A. CZARTORYSKI

Retired first grade Det. Kevin A. Czartoryski passed away December 5, 2010 from pulmonary fibrosis and other ailments, including various cancers, which developed after his work on

the rescue and recovery efforts related to the World Trade Center attacks. The youngest of six children from Queens, Czartoryski studied at St. John’s University and was appointed to the NYPD in July 1988. Among his posts were Manhattan South Narcotics and the Hate Crimes Task Force. After 9/11, he moved to Public Information where he served as the Commissioner’s liaison to the City’s gay community. He won praise from Commissioner Kelly, as well as City Council Speaker Christine Quinn, for bridging the gap between the Police Department and the City’s often marginalized LGBT citizens. Czartoryski proudly marched in the Gay Rights Parade as a member of the Gay Officers Action League (GOAL), and was well known for his outgoing, cheerful nature, communications skills, and consummate professionalism. He was often described by friends, colleagues and those who covered the police beat as “classy.” He also inspired two of his many nieces and nephews to join the NYPD. Czartoryski’s sister Patricia noted that it was a battle for Kevin just to breathe during the last two years of his life. He had a lung transplant in May of 2010, but the cancer had spread to other parts of his body. “Kevin loved his work and loved life as well,” says DEA President Michael Palladino. “I admire his heroism, not only for his work at Ground Zero, but for how he conducted himself during the last days of his life.” At the time of his passing, Det. Czartoryski was 46 years old.



COREY J. DIAZ

On October 7, 2009, active first grade Det. Corey J. Diaz of the Investigative Support Division of the Organized Crime Control Bureau passed away of pancreatic cancer related to his work on the rescue and recovery from the World Trade Center attacks. He was the longtime fiscal officer for OCCB, reporting directly to the Chief of the Bureau, and he was also the DEA union Delegate from his unit. Diaz graduated from the Police Academy in October of 1990 and was promoted to Detective in September 1995, earning second grade in December of 1999 and first grade in December 2004. On what would have been his 41st birthday – December 10, 2009 – his family, friends and colleagues paid their respects at a memorial service at St. Patrick’s Cathedral on Fifth Avenue in Manhattan. Diaz was interred at St. Raymond’s Cemetery in The Bronx. Remembered as outgoing and friendly, he is survived by his domestic partner Donna, his mother Christine, his father Rey, and his young son Aaron, to whom he was devoted. Diaz’ name was inscribed on both the NYPD Memorial Wall and also unveiled on the State’s Memorial Wall in Albany the week of May 9, 2011.

WE WILL NEVER FORGET YOU



KEVIN G. HAWKINS

Det. Kevin G. Hawkins passed away on May 7, 2007 from kidney cancer contracted as a result of his work on the rescue and recovery efforts from the World Trade Center attacks. His friends noted that the illness felled their once tough and tire-

less colleague in less than one year. Hawkins, who hailed from South Ozone Park, Queens, served more than 20 years with the New York Police Department, and was appointed in January of 1987. He was promoted to Detective in May 2003, and earned second grade in September 2006. During his career, he worked in the 17th Precinct, the Patrol Borough Manhattan South Task Force, and ultimately was a longtime member of the Executive Protection Unit of the Intelligence Division, where he served on the Mayor's security force. "He brought a quiet reserve and a sense of dignity to everything he did," said Mayor Michael Bloomberg. "He fought this disease with the same integrity and strength he displayed serving our country and our City." Hawkins was a fighter in more ways than one: a former military man, he was a member of the United States Marine Corps and served as a reservist for two tours of duty in the Persian Gulf War in 1990. During his career, he made 71 arrests and received three Police Department medals in recognition of distinguished acts of duty. A Mets fan and an avid reader who also loved crossword puzzles, Hawkins was often absorbed in *The New York Times* catching up on news and current events. A devoted family man, Det. Hawkins is survived by his wife Marie, three children — Natalie, Nicholas, and Stephanie — his mother Dorothy, and his brother David. A street, Det. Kevin Hawkins Way, was named at Locust Court and Gervil Place in Staten Island. At the time of his death, Kevin Hawkins was 42 years old.



WILLIAM J. HOLFESTER

Long Island native Det. William J. (Billy) Holfester was recognized 11 times for excellent and meritorious police duty during his 18-year NYPD

career. His work included 380 arrests, 213 of which were for felonies. Appointed to the force in October 1990, he earned his gold shield in May of 1998. He was a tenured and well-respected member of Manhattan North Narcotics, serving in its Major Case Unit, where he was known as serious, extremely hard-working and industrious, and recognized for his wide range of investigative skills. He previously served in the 81st Precinct and the First Precinct, where he was assigned at the time of the World Trade Center attacks. On January 22, 2008, he passed away from non Hodgkin's lymphoma contracted as a result of his work on the rescue and recovery efforts, and the long hours he put in at Ground Zero and the Freshkills Landfill in Staten Island. The disease caused his hulking six-foot-four-inch, 230-pound frame to diminish to 80 pounds in only 18 months. But, colleagues note, he remained characteristically stoic to the end. Det. Holfester's name was added and unveiled on the NYPD Memorial Wall and in Albany in May of 2009. A private and family-oriented man with a dry sense of humor, Det. Holfester is survived by his mother Marion, his sister Cynthia, his wife Michelle, his daughter Marissa, his son Christopher, and three grandchildren: Olivia, Christopher, and Gabriel. In addition to his other skills, Holfester was also an Emergency Medical Technician before he joined the NYPD. At the time of his death, Det. Holfester was 43 years old.

MICHAEL P. MORALES

Retired second grade Det. Michael P. Morales passed away on June 10, 2009, from small cell lung cancer attributed to his service work-



ing on the rescue and recovery related to the World Trade Center attacks. Morales was born in Manhattan in 1946. He was awarded a Purple Heart while serving in the U. S. Army during the Vietnam War. After being honorably discharged in '68, he returned to New York and married his high school sweetheart, Silvia. They moved to Staten Island where Morales worked as a USDA meat inspector until his appointment to the NYPD in July 1973. It was a rough time for cops in the early '70s, and Morales was assigned to the 7th Precinct on the lower east side of Manhattan. He was one of the first cars to arrive on the scene after the shooting death of P.O. Rocco Laurie. Morales often worked 12 hours on patrol in uniform answering radio runs, and then for the next 12 hours, worked patrolling in plain clothes in a personal car armed with a shotgun in order to follow the marked RMPs to ensure their safety. Laid off briefly in '72 during the City's fiscal crisis, Morales was hired back a few weeks later. In '76, he was transferred to Patrol Borough Manhattan South as Community Affairs Officer, and in '81, was transferred to the 67 Precinct in Flatbush as a white shield in the Detective Squad. In '86, he was transferred to the Staten Island Crimes Against Persons Squad and promoted to Detective in March of '87. He retired in January 2002. He is survived by four children: Adrian, Michael, Anthony and Andrew. Anthony and Andrew followed their father into the NYPD. Described as a man with a big heart, selfless and emotional, Morales was active in his community as a Cub Scout Master and as a volunteer basketball and baseball coach. The corner of Watchogue Road and Livermore Avenue in the confines of the 120 Precinct has been renamed Michael Morales Way. At the time of his passing, Morales was one month shy of his 62nd birthday.



CLAUDE D. RICHARDS

Everything about Det. Claude (Dan) Richards — his bearing, his demeanor, his reserve, and his professionalism — reflected his training and his former

service as a member of the elite U.S. Army Airborne Ranger Corps. He served in the military from 1977 through 1980 and was a member of the Presidential Honor Guard. On September 11, 2001, when he rushed into the World Trade Center, Richards died a hero twice: as a New York City Detective, and as a military veteran caught in an unprecedented act of warfare on the country he loved. Richards was last seen trying to rescue people from the number 6 World Trade Center building. Described by colleagues as a fearless man who loved a challenge, Richards was always the first one “out the door and on the job.” On October 12, 2011 hundreds turned out for his memorial mass at St. Raphael's Church in East Meadow, Long Island. Among those attending were his 35 fellow Bomb Squad colleagues, some with dogs in tow. The canines wore American flags wrapped patriotically around their necks. Richards lived in Greenwich Village and was only on his second day back on the job from taking a short leave to bury his brother Bill, who died a few weeks earlier from complications of being a double amputee Vietnam War veteran. Richards was appointed to the NYPD in January 1983. In 1986, he was assigned to the old Arson & Explosion Division (members were later merged into the Bomb Squad) under the Special Investigations Division. Richards quickly distinguished himself as an expert bomb technician and was granted his gold shield in July 1989. He worked on major cases, such as the first World Trade Center bombing in 1993, the TWA Flight 800 disaster, the case of the retail store fire-bomber in Queens, and the case of a madman named Leary who exploded an incendiary device in a New York City subway train. He took a leave of absence from September '96 to October '97 to serve as a member of the United Nations International Police Task Force in Bosnia, and this experience contributed greatly to his role as the Bomb Squad's Intelligence Coordinator, a position which required him to work hand-in-hand with many other government agencies, such as the Secret Service, the ATF and the State Department. In December 2000, he was promoted to second grade. Highly active and fiercely independent, Richards loved to travel and would fly out of town on a moment's notice. His colleagues describe him in a myriad of ways, including private, reserved, generous, even-tempered, forgiving, well-rounded, well-grounded, straightforward and truthful, but always fair, and a role model for others. They say he was always willing to lend a helping



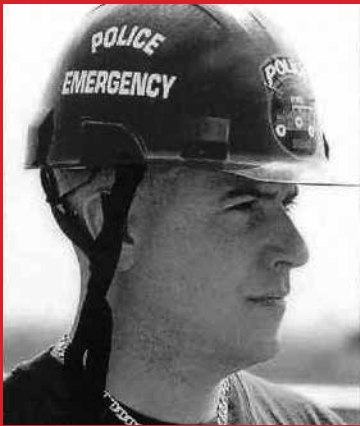
hand. They call him a “great and unique individual” who performed seriously, with a great sense of pride. There was nothing, they note, he wouldn’t do for a colleague. One added, “I think most people would love to have been like him.” Richards was 46 years old at the time of his death. Among his survivors are his brothers Jim and Thomas and sisters Helen, Linda and Debbie. Det. Claude ‘Danny’ Richards Way is located at West Street between Morton and Barrow streets in Manhattan.



ROBERTO L. RIVERA

First grade Det. Roberto L. Rivera served the NYPD for nearly 30 years and received eight recognitions for excellent and meritorious police duty. He was appointed to the Force in October 1973. He was promoted to Detective in January 1982, earned second grade in November of 1994, and by December of 2001 was promoted to first grade. During his career, he served in the 44 Precinct, Narcotics Division, and the First Precinct Detective Unit. Prior to his work with the Joint Terrorism Task Force, from which he retired in December of 2002, he also served with the Detective Bureau’s Special Investigations Division and the Arson and Explosion Squad. Immediately following the

World Trade Center attacks, Rivera volunteered for the “bucket brigade” at Ground Zero, working atop the smoldering mountains of debris and remains. On January 27, 2007, Rivera passed away from illnesses contracted as a result of his hours of service on the rescue and recovery efforts. His name was unveiled on the NYPD Memorial Wall in May of 2009. He’s remembered by colleagues as sharp, personable and friendly, and great to be with, both on and off duty. He is survived by his wife Aida, his sons Marcus and Roberto, also a Detective, and his daughter Doraida.



JOSEPH V. VIGIANO

On September 11, 2001, Det. Joseph V. Vigiano, a member of Emergency Services Unit Truck 2 in Manhattan, rushed into the World Trade Center complex: an automatic response for an E-Man. His wife, retired P.O. Kathy Vigiano, at the time assigned to the 75th Precinct, told the *New York Post*, “Joe wouldn’t have left until the last person was out of the buildings.” She was right. On October 30, 2001, more than 1,000 mourners paid their respects in Patchogue, Long Island to Vigiano and his firefighter brother John of FDNY Ladder Co. 132. Both were killed when the two 110-story Twin Towers collapsed. In his 14-year NYPD career, Det. Vigiano had survived multiple shootings and legendary rescue attempts, which earned him the attention and respect of his peers and bosses, including the Police Commissioner. He was appointed in April 1987 and promoted to Detective in January 1992. In April 2001, he received second grade. He was shot five times, but hero-

ics and bravery were a natural part of his genetic makeup. His father, retired fire Captain John Vigiano, is one of the most decorated firemen in New York City’s history. He recalled his son Joseph as, “a helluva cop, who never lost his sense of humor.” Vigiano was awarded the NYPD American Legion Police Post No. 460 Medal for Valor for a shooting incident that occurred when he was a P.O. in the 75 Precinct in 1989. As a Detective in 1994, he was involved in another gun battle in the confines of the 75 for which he received an NYPD Combat Cross. In 1995, Vigiano received more Department accolades for his search and recovery efforts during the TWA Flight 800 disaster. A daring rescue involving a scaffolding collapse on West 108 Street in Manhattan in August 1999 earned him another award from the Mayor. He also won recognition from the Centurion Foundation and the New York Shields. In 2001, the Columbia Association awarded Vigiano its Lt. Mario Biaggi Award of Valor for an April 2000 water rescue of a man drowning in the Central Park Reservoir. It also earned him the 2001 Medal of Valor from the New York Lifesaving Benevolent Association. Father to three young sons, Joseph, James, and John, he was 34 years old at the time of the World Trade Center attacks. The Vigiano Brothers were the subject of a film, “Twin Towers,” by Emmy Award-winning producer Dick Wolf. It won the Academy Award for Documentary Short Subject in 2003. At his father’s funeral, Vigiano’s son Joe, Jr. said, “God has made my dad one of his policemen. Now he’s protecting heaven.”



ROBERT W. WILLIAMSON

Det. Robert W. (Bobby) Williamson passed away in the wee hours of May 13, 2007 after a five-year battle with many illnesses, debilitating diseases, and conditions linked to his service working on the rescue and recovery efforts related to the World Trade Center attacks. He was one of the officers who responded immediately to the scene of the disaster. While at the site, Building Seven collapsed, but Williamson managed to escape unharmed. He was a physically large man with a big, warm heart. But the grueling, 16-hour days Williamson logged at both Ground Zero and the Staten Island Landfill ultimately wreaked havoc on his body. His pancreas, spleen, gall bladder, most of his stomach, and parts of his intestines and lungs all became cancerous. Those who knew and once worked alongside of him were amazed at his bravery and good humor in the face of so many exhausting conditions; and no one could help but be affected by his never-ending optimism and his ability to persevere through so many medical and physical challenges. Det. Williamson served 20 years in the NYPD, making 368 arrests, 203 for felonies. Appointed January 1982, he was a PBA Delegate from the 5 Precinct for several years. He was transferred to Street Crime, where he was promoted to Detective in June 1999. His last command was Patrol Borough Manhattan South's Anti-Crime Unit. He was recognized 39 times during his police career for excellent police duty, meritorious service and other commendations. He was diagnosed with cancer and his health battle began one year after he retired from the force on January 25, 2002. An extremely popular and outgoing man, Williamson was a member of the Fraternal Order of Police, the Knights of Columbus, the Ancient Order of Hibernians, the Pearl River Elks, and the Rockland and Orange County Shields. Det. Williamson is survived by his wife Maureen, and three children: Joseph, Katelyn and Laura. At the time of his passing, Bobby was 46 years old.



JOHN T. YOUNG

Det. John T. Young passed away on February 17, 2007 as a result of lung cancer contracted from his work on the rescue and recovery efforts from the World Trade Center attacks. Young served 20 years with the NYPD. He was appointed in January 1982, and promoted to Detective in November of 1991. His career included stints in the 34 and 50 Precincts, and the

Midtown South Detective Squad. His last command was the 50 Squad. He made 380 arrests, 203 for felonies and received eight recognitions for excellent police duty and two awards for meritorious service. He worked hundreds of hours at the Freshkills Landfill, sifting through debris from the attacks in the City's search for remains of victims and crime scene evidence. He retired in January 2002. Known as someone who was friendly and helpful to everyone, Det. Young was 49 years old and is survived by his wife Maura, and five children — John, Kristin, Shannon, Michael, and Courtney — ages 10 through 19 at the time of his death.



JAMES ZADROGA

Det. James Zadroga passed away on January 5, 2006, as a result of various respiratory and digestive diseases and disorders, including black lung disease and mercury on the brain, developed from his exposure to the remains of the World

Trade Center. Zadroga was the first member of the NYPD whose post-9/11 death was directly linked by a medical examiner to the rescue, recovery, and clean-up efforts of the terrorist attacks. Consequently, the various ground-breaking New York State and federal bills dealing with 9/11-related benefits are named in his honor. Zadroga grew up in North Arlington, New Jersey, where his father was a police chief. He attended Bergen Community College and was appointed to the NYPD in January 1992. His first assignment was the 6th Precinct in Manhattan. In early 1997, he transferred to the Street Crime Unit in Queens, where he was promoted to Detective in June 1999. Zadroga logged approximately 500 hours of duty in the WTC rubble. He began having breathing difficulties when he returned to his new command, the 25 Squad, in late December 2001. He transferred to Manhattan South Homicide in June 2002, but his medical condition worsened. He retired on November 1, 2004. During his career, Zadroga made 187 arrests and was awarded 38 Department commendations for distinguished duty. Zadroga's ailments took an irreversible toll on his wife, Ronda, who died in 2004 from medical issues exacerbated by the family's stress. As his illnesses progressed, Zadroga was required to use a wheelchair and remain on oxygen around-the-clock. He moved in with his parents, Joe and Linda, so they could assist with his young daughter, Tyler Ann, who survives him. At the time of his death, James Zadroga was 34 years old.

Children Speak

Dear NYPD,
 Today I am writing to you because of 9-11. I live in Conroe Texas, I go to Bozman intermediate school in the fifth grade. Today 9-11 we learned about 9-11. 9-11 was a tragic day for everyone. Lives were lost, memories were made. One thing that made me proud of you, I am very proud of you. I am sorry you lost so many friends. I pray for you and your family. Thank you for keeping us safe.
 Sincerely,
 Hardy Reynolds

P.S. You can email me



Dear N.Y.P.D.,
 I'm a 6th grader at Falcon Hill Elementary. My name is Casie Allison I'm 11 years old. I think you guys are doing a good job. You should keep up the hard work, I'm glad your still finding people dead or alive I bet the family's are happy too! You also have been putting a lot of hard work into the job. I think you guys will find more bodies. I also think they did it now because we have a new president.

Sincerely,
 Casie

Dear Police Officers,
 I want to say thank you for all the the hard work you do every day. I am very proud of you. I am sorry you lost so many friends. I pray for you and your family. Thank you for keeping us safe.
 Sincerely,
 Catherine Johnson

Mill Ridge Int. Scho
 7 School Ridge Rd
 Danbury, Ct 06811

Dear police officer, I want to say thank you for all the hard work you do every day. You are very, very brave. I'm sorry you lost so many friends. Thank you for keeping us safe. I am really sad what happen.
 Sincerely
 Tiffany Salguero

Jimmy Vigiano 11/6/01
 I am thankful
 I am thankful for my Dad being a hero, my family, food, clothes, my mom my baby brother, and my big brother

JACK Sarah
 CHRIS
 Andrew Reilly HARRY Drew
 JESSICA
 Kyle
 God Bless You!
 YOU ARE LOVED AND WILL ALWAYS BE REMEMBERED
 5th CLASS (3 YEARS)
 MONROE CHILD DEV. CTR
 MONROE, LA 70601



Dear NYPD,
 My name is Sofia Johnson. I'm from Conroe, Texas and I go to school at Oree Bozman Intermediate. I'm very sorry what happened. I almost started to cry when I saw the vides of 9/11 in my class. If somebody died in my family who was in the attack I would be crying almost every day. Our teacher showed us a magazine about the twin towers. It was amazing how somepeople had to jump out of the buildings to survive. I feel very sorry for the fireman who risk their lives in that fire. I bet you have more pain than I do. Thank you for our heros. God bless You
 Love
 Sofia Johnson

The Gold Shield

Detectives' Endowment Association, Inc.

26 Thomas St. ● New York, NY 10007

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REMEMBERING
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