

COMMISSION SENSITIVE

MEMORANDUM FOR THE RECORD

Event: Interview of former FDNY Commissioner Thomas Von Essen

Date: Wednesday April 7, 2004

Location: Offices of Giuliani LLC, Times Square, New York City

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Team Number: 8

Participants – non-Commission: Thomas Von Essen, Giuliani LLC Attorney, NYC Attorney

Participants – Commission: John Farmer, Sam Caspersen, George Delgrosso

This MFR is in first person, but it is not a transcript, and the diction and sentence structure are mine – not the interviewee's, though of course the content is 100% accurate. When I actually am quoting the interviewee, I use quotation marks. I use brackets when adding in my thoughts, and use third person when doing so.

Career:

I was a FF from 1970 on; started in south Bronx for 13 years. Then I became involved in union from 1983 to 1990. I went back to firehouse in 1990 when we lost an election. I ran for president in '93 and won. I became commissioner in 1996.

Animosity between FDNY Chiefs and myself: I tried to implement peer reviews for chiefs, but learned they were just photocopying one over and over again. So I was bringing heat on unions, and they wanted to go after me, and the radio controversy ensued.

Training on chief level:

Until I go there, they received very little. We addressed this. We did simulations. We made division chiefs train. We would make one battalion chief go to HQ for training. We would let an up and coming captain ride with a superstar battalion chief. We had courses for them at division of training. I think we had done more than ever before for chief training. They were receptive for training, but not receptive for accountability.

Our recall procedure:

Did exist on 9/11, but it was very sloppy. I don't think we had ever used it – not in my 30 years on the job.

Radios:

I felt the radios we rolled out in early 2001 were a new version of old radios. I have accepted responsibility for not educating firefighters on difference between digital and analog [before introducing the new radios into the field]. The plan was to go digital; that was in place when I became commissioner. This was not laid out in stone, but the idea. Digital communications were stronger, could go further. This ended up being a problem in the field, as firefighters operating at one incident could become confused when hearing other companies at a different location. I believe with the proper training it could have been overcome, by people being on right channels.

In spring of '01 we had to pull digital radios. I have asked people since it digital radios would have made a difference on day of September 11, and they are not sure if it would have. I have talked to people at Motorola, and they say they are not sure they it would have been better. Keep in mind there were so many other radio problems on the day of 9/11 – e.g., stepping, guys on different channels.

Also keep in mind that many of the companies responded very heavy, due to shift change timing of attack. So not all FFs in towers had radios.

I would welcome a significant investigation into the radio controversy.

On FDNY if 7 guys press buttons [to communicate on radios] on at same time, you hear nothing.

I didn't know that PA controlled turning on repeater prior to spring of 2000 [at which time at request of FDNY activation would be handled by FDNY personnel in lobbies of towers]

Relationship with NYPD:

In union I had been involved in battle of badges – trying to get responsibility for some emergencies which I thought the FDNY could manage better. PD's Emergency Service Unit was smaller and took longer to get incidents, because they were not in every neighborhood as FD was. FDNY Rescue 1 Captain Terry Hatten helped me in this battle of badges. This ended in a report from deputy mayor saying FD at least should get equal notice. "Most of it was phenomenal guys with great ego." But as commissioner, through hard work of mine and Safir, we established good relationships, and things improved. OEM helped in getting protocols together. You always could get isolated incident at scene, but it was fine once the bosses arrived..

Examples of flash-points before the problem addressed with FD getting equal notice:
woman in wheel chair goes into East River; ESU took some time to get there, and she died, while Rescue 1 was right down the block.

Example of protocol:

We developed a protocol for plane crashes – if plane was on the runway, FDNY was in charge. If plane was in water, PD was in charge, because they were better divers.

Collapses under these protocols became domain of FDNY. I felt that protocols generally were followed in actual incident. Under new protocols, we were in charge of car accidents, and some times ESU would want to be involved, but resolved once the bosses arrive.

Relationship with OEM:

I thought the concept of OEM was a phenomenal idea, and I thought Jerry Hauer was a great choice. I might have been biased, because Hauer had fire background and tough on the police. I never looked at OEM being in charge of any operations, but could be of great assistance. A battalion chief might be in charge of a fire in which electricity needs to be turned off, and it might be a drug house so you might need police involvement – this is where OEM added value. OEM also effectively could fire people by sending someone back to PD or FD. Was great for a BC not to have to worry about ancillary stuff, because OEM could do that, and BC could focus on fire operations. I believe we appreciated this more than PD, because PD had a lot of the resources, and FD didn't. And it was a great benefit to Mayor to get a more objective appraisal than an agency commissioner. OEM was a meritocracy; unlike FDNY, the OEM Director could send back those who were not performing back to their agencies. [most OEM employees were liaison from other city agencies, which continued to be their official employers

Jerry Hauer Op-Ed:

I agreed with a lot of Hauer's recent op-ed, though he made it far too personal. He obviously has a problem with Kelly. I think it's most important for OEM to continue to plan, and I don't think power should go back to police. OEM was never in charge; never a threat. It's a shame he made it such an attack on Bloomberg.

Information re terrorism prior to 9/11:

I was told nothing at all, and this is information which would go to me, as opposed to chief of department.

Day of 9/11:

I was on east river drive, in lower Manhattan. I saw smoke, and I turned up my radio (on city wide dispatch) and hear reports of plane hitting WTC. I arrived very quickly. Saw Ganci, who setting up command post across the street. I entered into lobby command post. Chiefs and FFs were rolling in. Pfeifer and Hayden were there. After a few minutes, as they were getting info on magnitude of fire, they decided they weren't even going to put fire out – just rescue operation. We were told all elevators were out of service. I also saw John O'Neil.

I didn't think it was terrorism at that point.

Keep in mind, I was commissioner, not chief, and I wasn't in charge of operations. I liked be at fire scene, though, so I could do better job with press and in briefing mayor, who wanted very accurate info.

I got word that the mayor was looking for me. Some more time passed, and we hear a rumble/explosion. I thought it was an explosion upstairs in tower 1. Then I was told 2 WTC hit. Then we are told mall of America hit; Sears Tower hit. We didn't know what to believe. Then someone came from outside and confirmed that 2 WTC was hit. Now we knew this was an act of war.

I distinctly remember Chief Downey saying to me, "Boss, these buildings could collapse." But there was no fear or panic in his voice [leading me to believe that he, the collapse expert, did not think we had an imminent concern of collapse]

I saw hundreds of civilians exiting on Mezzanine level.

Someone told me that Mayor wanted me across the street. I exited through window which broken, and a jumper crashes 15 feet away. I thought chief Callen was trying to get everyone to command post across the street. [this is Callen's 9:32 evacuation order] I arrived at the FDNY overall command post on the west side of West Street, but mayor already was gone. John Odermatt, deputy director of OEM, told me the mayor that the mayor needed me asap, and mayor wanted to do a press conference. I assumed that mayor was at OEM, but when I go to 7 WTC, it already was evacuated. I was with 2 aides at this point.

Then I began walking up West Broadway, and the south tower falls, and we are covered in a blanket of debris dust. It just goes black. It cleared up eventually and we met up back in the street and went north on Church. Then one of the mayor's security guys directs us to mayor.

I had to ask mayor how much of south tower has collapsed. He said it has fully collapsed. The mayor was in control.

My guys had Nextel phones, regular cell phones, and FDNY radios, none of which working well. "You couldn't count on any form of communication."

We are walking north, looking for command post. We considered a hotel, but too much glass [which we believed dangerous if it shattered]. Around this time the north tower collapsed. We were far enough north that we didn't have to run. I think we were around Canal St.

We arrived at the firehouse on 6th and Houston, but it would not suffice as command post; so we went to police academy. Everyone was trying to get information for Mayor. Early in afternoon, there is was a press conference. I then went back to WTC and took it all in. Then I went back to academy, where we were getting the resources needed – lights – heavy equipment – a thousand details. We also were trying to calculate number of FDNY fatalities. We also were thinking about where we are going to stage people, and how to get equipment to firefighters, keeping in mind that so much equipment destroyed in the towers.

There was an early evening press conference. Then we went back to site. Then back to academy for 10 PM press conference. Then back to site until 2 AM or 3 AM. Then I went home. Mayor relied on my to give him detailed briefings on fire operations, so that he could give good press conferences. While at academy, I was able to communicate with the site via Nextels and hard lines. We would call a hard line, and then a runner would take that to the chief on the scene.

So much information was coming in, and it was tough to know what to rely on. For example, I was told that Downey dead, but in fact we hadn't found his body; so in fact he just was missing. So I regret saying he was dead in press conference, before his family was so advised in private.

Downey was a big loss, because he could have been so helpful that afternoon and coming weeks. A city department cannot be expected to manage a clean-up if its forces were devastated. Federal incidentmanagement teams are crucial.