

At approximately 1:23 a.m. on July 10, 2004, FDNY Engine 94 was responding to a working fire incident in the Longwood section of the Bronx. The engine's emergency warning lights and sirens were operating. As the engine approached the intersection of East 163rd Street and Intervale Avenue, the responding apparatus came upon a red traffic signal.

The apparatus proceeded into the intersection without stopping and crashed into a Dodge Durango SUV that entered the intersection from the engine's right side. A 26-year-old passenger of the SUV was killed, five others in the SUV were taken to the hospital with lesser injuries. Five firefighters were also injured in the crash.

At the time of the crash, the official emergency response policy of the FDNY was to require responding apparatus to come to a complete stop at all red lights and stop signs. The actual and well-known practice for most fire companies was to only stop only when the situation demanded it.

In the wake of the July 10th crash, the driver and the officer of Engine 94 were brought up on charges by the Fire Department. This action was unprecedented. Video surveillance cameras were also installed in some apparatus.

The presidents of the IAFF firefighters and officers locals issued statements encouraging their members to adhere to the official fire department response policy. They cited the fact that the official FDNY policy was consistent with NFPA 1500, *Standard on Fire Department Occupational Safety and Health Program*.

Against the background of unit staffing cuts, the temporary closure of more companies each day for training, and the closure of six fire companies, FDNY administration began to note a rise in fire department response times. In reaction to these increases, the official FDNY response policy was modified in December of 2004 and the requirement to come to a complete stop at red lights and stop signs was removed.

The FDNY Fire Commissioner called stopping at red lights unnecessary and accused the firefighters and officers unions of deliberately slowing response times to pressure the city to reopen closed fire companies.

The dispute erupted in the press in May of 2005. The Fire Commissioner wrote letters in May of 2005 accused the presidents of both locals of making "... a concerted effort to drive up response times... You continue to advise your members to stop at red lights, regardless of whether it is necessary or sensible to do so."

In a press conference at the Uniformed Fire Officer's Association union office on May 27, 2005, Pete Gorman, the President of the local, pointed out that response times began to rise prior to the July, 2004 crash. In fact, response times began

to rise after the closing of six fire companies and the implementation of an accident prevention program. Gorman called the Commissioner's letter a "feeble" attempt to blame the unions for problems caused by administrative decisions.

In July of 2005, the unions met with FDNY management to attempt to address these issues. The officer's union encouraged their members to continue to respond safely, make efforts to reduce response times by getting out of the station quickly when dispatched, and to increase safety by calling off responding units when no emergency is found at a scene.

The number of crashes involving fire apparatus in the City of New York fell 52% in the first four months of 2005 when compared to the same period in 2004. Response times to structural fires rose 7% in the same period.