

Courage

UNDER FIRE



On April 6, 2014, P.O. Dennis Guerra and P.O. Rosa Rodriguez were returning from taking a prisoner to central booking when they heard a radio call about a fire at an apartment building at 2007 Surf Avenue in Coney Island. Though not regular partners, they just happened to be passing that building when the emergency call came through. It was 12:28:06 and the caller reported the fire had started on the 13th floor. Guerra and Rodriguez were assigned to PSA #1, and the 18-story Unity Towers building was a NYCHA residence.

The Officers reached the building in less than a minute, before other first responders. Because they saw no flames or smoke on the ground level, they immediately went into the elevator to see who was upstairs. During the minutes before they reached the 13th floor, another call came into dispatch from an apartment dweller who related that smoke was filling her residence and she heard yelling in the hallway. Within seconds, another caller reported that people were screaming out of their windows for help. By 12:31, the first firefighters arrived on the scene and EMS was dispatched.

Before they even reached the 13th floor, Guerra and Rodriguez made a radio call informing dispatch it was getting impossible to see or breathe as the black smoke filled their elevator. The transmission included the desperate message, "We don't know where we are. We're in an elevator. We don't know what floor we're on. We can't breathe! We can't see!" Surveillance cameras clocked the time at 12:37 p.m. And, when the door opened, the smoke, heat, and flames engulfed them. They collapsed choking on the black fumes. Both Officers passed out, unconscious.

At approximately 12:45 p.m., FDNY firefighters landed on the 13th floor. They found Guerra and Rodriguez in the hallway, unresponsive. The firefighters transported them immediately by elevator back down to the street where EMS was waiting. By 1:13 p.m., Guerra was rushed to Coney Island Hospital, and

then airlifted to Jacobi Hospital in The Bronx, where he lingered in critical condition. Rodriguez was transported to Lutheran Hospital in Brooklyn, and then to Cornell Medical Center's Burn Unit in Manhattan, where she was also placed in a hyperbaric chamber, diagnosed with carbon monoxide poisoning and severe smoke inhalation.

The fire that had engulfed the windowless hallway had originated from an abandoned mattress. One 13th floor resident said that the mattress was most likely found in the trash and dragged into the hallway. By the time the resident looked through her front door peep-hole, all she could see was flames. She went to the back window of her apartment and waited for the FDNY to tell her family what to do. Responding firefighters simultaneously extinguished the inferno and rescued the injured Police Officers. The 13th floor hallway of the NYCHA building contained seven coats of oil-based paint that served as an accelerant to the fire. All that remained of it was a horrifying and toxic charred tunnel.

36-year-old P.O. Rosa Rodriguez remained in critical condition. She had been on the force only three years and had four children anxiously awaiting news about her condition.

P.O. Guerra remained in a coma, registering limited brain activity, and doctors warned his family to prepare for the worst. On April 9, 2014, at 6:50 a.m. at Montefiore Medical Center in The Bronx, he passed away. He had never regained consciousness. He was



DENNIS E. GUERRA

October 28, 1975 - April 9, 2014

posthumously promoted to Detective, first grade by Police Commissioner William Bratton. Guerra was the first NYPD Officer to die in the line of duty from smoke inhalation since 1987.

Dennis Guerra is the son of retired Det. Denitor Guerra, whom he followed into the NYPD, and who retired as a second grader in September 2004 from the Queens Homicide Squad. Denitor now works as an Investigator for the State Attorney General's Office.

Dennis and his wife Cathy have four children: Kathleen, age 21; Jonathan, who turns 18 in December; Alyssa, 15; and Zachary, who turned seven last January. Guerra's older sister Elaine, who has two daughters, is a first grade teacher in Hempstead, Long Island. Dennis' grieving mother Miriam is a former NYPD School Safety Officer.

Dennis was born in the Mott Basin section of Far Rockaway, Queens. More interested working with his hands than with books, he left high school, but later finished his degree by earning his GED at night.

In January 2002, Guerra followed his mother into School Safety, and served as an Officer for two years. He then transferred to the Corrections Department, and after one year, was called up for the Police Academy. He began his NYPD career July 10, 2006 and was first assigned to The Bronx, then transferred to the Red Hook section of Brooklyn. He had only been in Coney Island two weeks before the fire that took his life.

"He always wanted to follow me into the Police Department," says his father. "And he really enjoyed the job. He would call me every night to tell me about his day, what he did, the arrests he made, the guns he recovered. He would text me and sometimes send photos. He said he wanted to make me proud. But I told him, I was already proud."

In July 2013, Officer Guerra rescued a boy from a burning vehicle on the Belt Parkway when a woman's car caught on fire. After getting the driver out, Guerra realized her little boy was still in the vehicle. The Officer had to break the hinge of the stubborn seat belt to pull the child to safety, and just as they were walking away, the vehicle went up in flames.

"That's the way he was, he never exhibited a moment's hesitation," says his father. "Dennis was well-known in the developments. He was a friendly guy and he spoke to everyone, especially the kids. Everyone knew him." His father claims Dennis had his eye on Auto Crime. "He was into cars," he notes, but with the fates shortening his tenure, Guerra spent his entire eight-year run as a Housing Cop.

A skilled mechanic, his wife Cathy calls her husband a jack of all trades. "When anyone needed anything fixed, they called Dennis," she says. "He was a plumber, an electrician, he could do it all. He was very handy!" The two met through mutual friends one night in Brooklyn more than fifteen years ago. The first thing Cathy noticed was Dennis' dimples and his beautiful, winning smile. "And now," she says, "our son has the same dimples." They were married in 2005 by the Rev. Gutierrez Fulgencio, who also conducted Guerra's funeral mass. The couple would have celebrated their ninth wedding anniversary this past June 25th had Dennis lived. "The children and I are hanging in and trying to stay strong," Cathy says.

Guerra was a family man and loved "nesting." "Everything in our house had to be perfect," Cathy adds, "Dennis loved to cook, and to entertain at home, and he loved decorating the house." He was known for his prowess at the grill. "He would grill all year round," she says, "even in the middle of the winter or in the rain. He made the best hamburgers and we're now trying to remember the recipe to see if any of us can recreate it. Every Christmas eve we gathered at the house. His roast pork and his turkey — delicious!" Shortly before Guerra died he bought himself a new apron at Bed, Bath & Beyond. It read 'Grillmaster: The Man, The Myth, The Legend.' "He never even got to use it," she says wistfully. "He loved coming straight home after work. He loved family gatherings and being with his kids. We called Zachary, who he recently taught to ride a bike, his 'Little Shadow.'"

His father confirms, "Whenever you saw Dennis, you saw his wife and kids. He had a way of getting and keeping everyone together. Even though his mother and I are divorced, he had a special way of doing things, and he kept the family together for holidays and gatherings all the time."

"Of course," Cathy adds, "Dennis had a serious side with his job, but he made everybody laugh. He was friendly with everyone. When you're a Police Officer, it's important to have a sense of humor, too."

His mother Miriam told the *New York Daily News*, "Dennis was a wonderful person: a person who would give the shirt off his back ... give it to somebody else even if he didn't know them. He was a good-hearted person. He was a good husband, a good father, a good son. This is a shock. We've all been shocked, all our friends and our neighbors. Dennis was a wonderful boy. That's what I can say — a wonderful boy."

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James Nash & Brian Ramos



When the original 10-13 came in, 60 Squad Det. Brian Ramos and Brooklyn South Homicide Task Force Det. James Nash responded to the fire scene. It was 12:35 p.m. Once it was learned that both victims — Guerra and Rodriguez — were in critical condition, Ramos and Nash were assigned as case Detectives. At first, their natural inclination was to think the fire was accidental. Ramos had been a Housing cop himself, and had transferred from PSA #1 to the 60 Precinct in 2010. Fire wasn't an unusual occurrence: there were faulty wires, sleepy smokers, discarded cigarettes, and a host of other reasons why an apartment or hallway could go up in flames.

Once the Detectives were given permission from the Fire Marshals to go to the 13th floor, they began inspecting the scene and canvassing for witnesses. They started with the woman who first called 9-1-1. She said in her apartment she had a brother in a wheelchair for whom she was responsible. So when she heard a loud banging at her door, she looked through the peep-hole and recognized the teen who she thought still lived down the hall. Behind him she saw a corner of a mattress engulfed in flames. The boy was yelling for her to get out. Then he ran down the hallway. The witness said that's when she called 9-1-1. The Detectives asked her to show them where the boy ran, and she pointed to the apartment near the stairwell.

The Detectives moved on to that residence. A woman answered the door. They asked if her son was home

and she ushered them in where they met her 13-year-old boy, Jalin. The Detectives asked if he had knocked on his neighbor's door, but he told them he had been playing video games. He admitted that before his mother came home, it was his cousin Marcell who earlier had knocked on doors telling people about the fire. Jalin said that afterwards he and Marcell went downstairs to Marcell's 12th floor apartment and hung out for an hour. Jalin also told the Detectives that Marcell eventually left the building, so he came back upstairs. Jalin's mother took the Detectives downstairs and let them into the 12th floor digs. By this time it was the cousin, Marcell Dockery, who became the subject of most interest to Ramos and Nash, but the 16-year-old was still missing from the building.

As Jalin's story started changing, the Detectives decided to bring him and his mother into the Precinct for questioning. Eventually, Jalin confessed that earlier in the day he heard a commotion outside his apartment door. He opened it and saw his cousin in a hoodie down the hallway by a mattress. He went back to his video games, but later heard banging and peeked out to see the mattress in flames. Marcell banged on his door again, and the two ran downstairs, where Marcell started blathering that he knew he would get blamed for the fire, but he didn't start it. Marcell's sister, who was also present, said she didn't believe him and mentioned he had started fires before.

For solving this tragic arson case while curtailing the deadly obsession of a deranged and demented teenager, we honored our Detectives of the Month: Brian Ramos of the 60 Squad (seated right) and James Nash (seated left) of the Brooklyn South Homicide Task Force. They determinedly solved the murder of a fellow member of the service in less than nine hours, a remarkable achievement, considering the emotional turmoil that surrounds the death of a brother or sister Officer. Standing from left are Timothy O'Brien, Delegate from Brooklyn South Homicide, Joe Calabrese, Brooklyn South Trustee, and Frank Ciccone, Brooklyn South Welfare Officer.

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At this point, Ramos and Nash, determined to find Dockery, returned to his 12th floor apartment and found his grandfather. The Detectives left their contact information.

Later, the boy's Grandfather called to say he located the subject. The young man was picked up by two Homicide Detectives and at 19:20 hours, Dockery was brought to the 61 Precinct for questioning. During the interview, Ramos and Nash realized they had caught Marcell in a lie when the boy told them that when he stepped off the elevator onto the 13th floor, he was engulfed in white smoke and ran down the hall to alert people.

But by this time, the Detectives had already viewed surveillance video pulled from the Housing complex that showed when Dockery got into the building, rode up the elevator, and landed on the 13th floor, there was no smoke at all.

Realizing the dispassionate teen was fabricating stories, the Detectives told Dockery it was "time to tell the truth." They found him to be a very intelligent and articulate boy, but he was clearly an emotionally disconnected sociopath. Marcell confessed to having set the fire out of what he called "boredom." In the hallway, he pulled out a lighter from his pocket and set the corner of the mattress on fire "just to see what would happen." When the flames grew, he blew on them, thinking he extinguished them. He then walked down the hallway, but the mattress was ablaze. It was then, he said, he started banging on doors. After he went down to his own apartment on the 12th floor, he watched as the police and firefighters arrived. Emergency dispatch recorded a call coming from his apartment during the time of the fire. He was also caught on NYCHA video leaving the building as the cops were rushing inside.

By 21:10 hours, the Detectives obtained a verbal, and then a handwritten, confession. After the Assistant District Attorney arrived at the Precinct, the Investigators recorded a videotape. Dockery was placed under arrest and charged. When they were transporting him to prison, news photographers snapped his photo: a perverse grin was plastered across his face. He didn't seem to have the slightest concern about the devastation he had caused.

The teenager had a history of being a firebug and had once been arrested for setting a lunchroom table at his school ablaze. He would put alcohol in his bathtub and try to write his name with the flames. He talked about making blow torches. He had been in juvenile probation. One Judge put him in a "fire starter program," where Fire Marshals teach flame-obsessed kids the dangers of starting infernos. Dockery had received a certificate from the program a few years prior. It didn't make a dent in his desire to see things burn. He had been setting fires since he was nine years old. He knew what he was doing. He was a depraved arsonist and a pyromaniac. He had a prior for threatening a woman with a razor during a March 7, 2014 robbery, just a month before he set the fatal fire that killed Officer Dennis Guerra.

The Detectives are now investigating other area fires to see if any of them might be linked to the demented teen who could have walked straight out of a Stephen King novel. Once Guerra died, the charges against Dockery were upped to murder in the second degree, along with arson and depraved indifference. It's currently unknown whether he'll cop a plea or go to trial. His first hearing is scheduled for October 2014. The District Attorney plans to charge him as an adult.

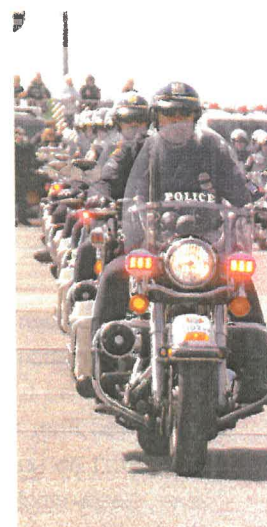
Before this case unfolded, there were no formal, written guidelines for Police dealing with apartment tower fires or fire response protocol, but since this incident, the New York Police Department has been creating new procedures for its members to follow.

On May 19, 2014, Officer Rosa Rodriguez was released from the hospital, but doctors say she may never be completely physically healed from the damage done to her lungs and throat. No one can predict what emotional scars she will carry for the rest of her life.

And, the emotional turmoil the Guerra family faces continues daily. "The baby still cries all the time," says Denitor.

"When Dennis used to check in with me every day, sometimes it was very late at night when he called, forgetting I was older and that he was able to stay up much later than I could. But I never told him not to call. And now, I really miss those late night conversations."

"Everyone who knew Guerra spoke very highly of him," says Det. Ramos. "We went to visit his mother and she was very distraught. She said every





morning she fixed her son's coffee before he went off to work. The morning of the fire she slept in, because they were both up late the night before putting up cabinets and shelves in her grandson's room. This was the one time she had failed to tell her son, 'God bless and have a great day.' It broke her heart. The case is just a terrible tragedy."

"Every police car I see, every unit, it brings back memories," says Denitor, who was deeply honored when the Police Commissioner promoted Dennis to Detective and posthumously awarded him Denitor's old shield number 2799. "When Dennis used to check in with me every day, sometimes it was very late at night when he called, forgetting I was older and that he was able to stay up much later than I could. But I never told him not to call. And now, I really miss those late night conversations."



On Monday, April 14, 2014, thousands of cops and Queens residents saluted Det. Dennis Guerra as his casket was carried to the St. Rose of Lima Roman Catholic Church on Beach Street in Rockaway Beach, Queens for his funeral mass. Afterward, his casket was interred at St. John's Cemetery in Middle Village, New York.

"He will always be remembered as he lived: a hero," eulogized Commissioner William Bratton.

"He was a real hero in my eyes," says his dad. At the time of his death, Dennis Guerra was 38 years old.

