

The New York Times
The city ends its resistance
to Rudy Washington's
medical award.

DAN BARRY

About New York

A Quiet Man And His Wait For Justice

RUDY WASHINGTON always stood out, for reasons beyond his distinction as the only black deputy mayor in a Giuliani administration so white in flesh and spirit. In a sycophantic City Hall, he managed to maintain a sense of self, even if his reserve sometimes rendered him nearly invisible.

In 1997, for example, Mayor Rudolph W. Giuliani famously appeared as a transvestite nightclub singer during the annual Inner Circle show. Several of his top aides also agreed to dress in drag for the act. But Mr. Washington politely declined, and so remained outside the spotlight.

And in 1999, the fatal police shooting of an unarmed African immigrant named Amadou Diallo reinforced the perception that some officers became overzealous, even abusive, when patrolling minority neighborhoods. The case also exposed the nature of Mr. Giuliani's relationship with many black leaders, which is to say, non-existent.

During this crisis, in a meeting with the mayor, Mr. Washington bore witness. Among other stories, he told of driving in Queens with his wife and being pulled over for no good reason, only to be saved from further humiliation by a passing police official who recognized him as a deputy mayor. The episode left his wife in tears.

Washington did not hold a news conference. He had spoken privately of these harrowing moments, perhaps as a way to help his boss recognize a glaring problem. When his words became public, Mr. Washington declined to comment, leaving it to Mr. Giuliani to interpret bad moments in a black man's life.

It was Mr. Washington before the attack on the World Trade Center. And this was Mr. Washington, after.

Many people acted heroically on that awful Tuesday, he among them. After the first tower's collapse enveloped him in a toxic plume, he rushed to City Hall and helped to make some of the critical decisions in those early moments of chaos, when even the whereabouts of Mr. Giuliani was unknown.

The quiet deputy mayor spoke several times with Governor Pataki. He telephoned the naval commander of the Atlantic fleet to check on air cover for the city. He evacuated City Hall and set up shop at One Police Plaza. He quickly mustered heavy equipment and floodlights to expedite the search for bodies and the clearing of debris. He oversaw some of the assistance provided to affected families and businesses.

He spent a lot of time at ground zero.

Within weeks, Mr. Washington was hospitalized in intensive care, due to a bacterial infection that doctors linked to his exposure to the contaminated ground zero air. When he was better, he went back to work.

The Giuliani administration left, the Bloomberg administration entered, and the quick history of Sept. 11 celebrated the exploits of just about everyone but Mr. Washington. He did not hit the dinner circuit, or issue news releases suggesting himself as an expert in disaster response.

"An unsung hero of 9/11," said his friend, Randy M. Mastro, who was also a deputy mayor during the Giuliani administration.

Years passed. Mr. Washington became sick. Once proud of his health, he developed respiratory and digestive problems, including asthma and an irritated throat. He became familiar with hospital halls.

In December 2004, he filed a claim with the State Workers' Compensation Board for health care benefits. He filed a year after a deadline for such claims — a deadline that reflects how the government equates a 9/11 ailment with, say, wrenching your back on a sanitation truck. The system seems to say that these ailments must manifest themselves within an arbitrary time frame, or tough luck.

His work-related hospitalization in 2001, during which he received his city salary, made concerns about deadlines moot. After four days of hearings over several months, an administrative law judge ruled in his favor, only to have the City of New York appeal that decision.

When Mr. Washington's claim and the city's idiotic appeal became public last week, Mayor Michael R. Bloomberg asked the city's lawyers to, ahem, revisit the matter. Yesterday, the city's lawyers said that after a review of additional facts, ahem, they planned to drop their appeal.

Some will immediately assume, wrongly, that strings were pulled. Mr. Washington's case was won on its sad merits, and has cast the spotlight on the need for a law to allow for the late filing of 9/11 claims. As his lawyer, Robert E. Grey, said yesterday, it may also encourage the city to see similar cases as a human, not fiscal, problem.

Mr. Washington, 51, declined to comment. As usual.

E-mail: dabarry@nytimes.com