

Terror rap dropped in threat case

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Prosecutors dropped the most serious count yesterday against a former campaign worker charged with making a "terrorist threat" against a Queens member of the City Council.

Julio Abreu, who prosecutors said indirectly threatened to shoot City Councilman Hiram Monserrate (D-Corona), was looking at up to four years in prison but now faces a maximum of one year behind bars.

"The wording of the statute in relation to this case is ambiguous," said prosecutor Daniel O'Leary. "He has to make a direct threat aimed to have an impact on the political process."

Abreu, 53, was working for Luis Jimenez, who was seeking Monserrate's Council seat, when he allegedly threatened the politician through a campaign worker because he believed his candidate's posters were being ripped down by people working for the incumbent.

"He said, 'I have a gun and I'm not afraid to use it against you or Monserrate,'" O'Leary said, quoting Abreu and noting that the threat was indirect.

The heated exchange took place just two days after Councilman James Davis (D-Brooklyn) was gunned down in City Hall. Prosecutors charged Abreu under a new "terrorist threat" law enacted after the Sept. 11, 2001, terrorist attacks.

Prosecutors acknowledged they dropped the charge because the terror law didn't apply to the Abreu case. Abreu, who has said he was "blowing off steam," faces up to a year on a lesser charge of aggravated harassment.

"He believes that what he did was just exercising his First Amendment rights to express himself," O'Leary said. "Whether that's what he did is up to a trier of fact.... We find it a very strong case for aggravated harassment."

Abreu had been offered a conditional discharge with no jail time if he admitted his guilt and agreed to take anger management classes. But his lawyer said yesterday he is still hoping for a better deal.

"This is something that arose in the course of a political campaign and on the heels of the Davis shooting, and the police overcharged him," said defense lawyer Robert Gallo.

Monserrate believes Abreu shouldn't get off that easily.

"I don't think someone should be allowed to make a serious threat like that," Monserrate said yesterday. "I don't think the First Amendment gives people the right to make threats of bodily harm."

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