

Lesser charges for man shot by Freeport cops

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A grand jury reduced the charges yesterday against a man who was shot multiple times by Freeport police after he allegedly pointed a gun in their direction, court officials said.

Frantz Byer, 21, still hospitalized since the July 14 incident, was arraigned on the reduced charges of possession of a weapon and menacing police and had his bail reduced by Judge John Kase from \$500,000 to \$25,000.

Byer was initially arrested and charged with assault, attempted assault, robbery, criminal possession of

stolen property, criminal possession of a weapon and criminal use of a firearm.

Eric Phillips, a spokesman for the Nassau district attorney's office, said the new charges could still result in a sentence of up to 15 years imprisonment if Byer is convicted.

But Fred Brewington of Hempstead, Byer's attorney, said, "Those charges are not

only greatly reduced, but place an enormous shadow of doubt over the initial complaints made by the district attorney's office. ... We are greatly distressed by their failure to treat this incident independently, rather than pick sides."

Phillips said, "The DA is conducting a thorough, independent investigation of the shooting and will issue a full report in the very near future that will be made available to the public.

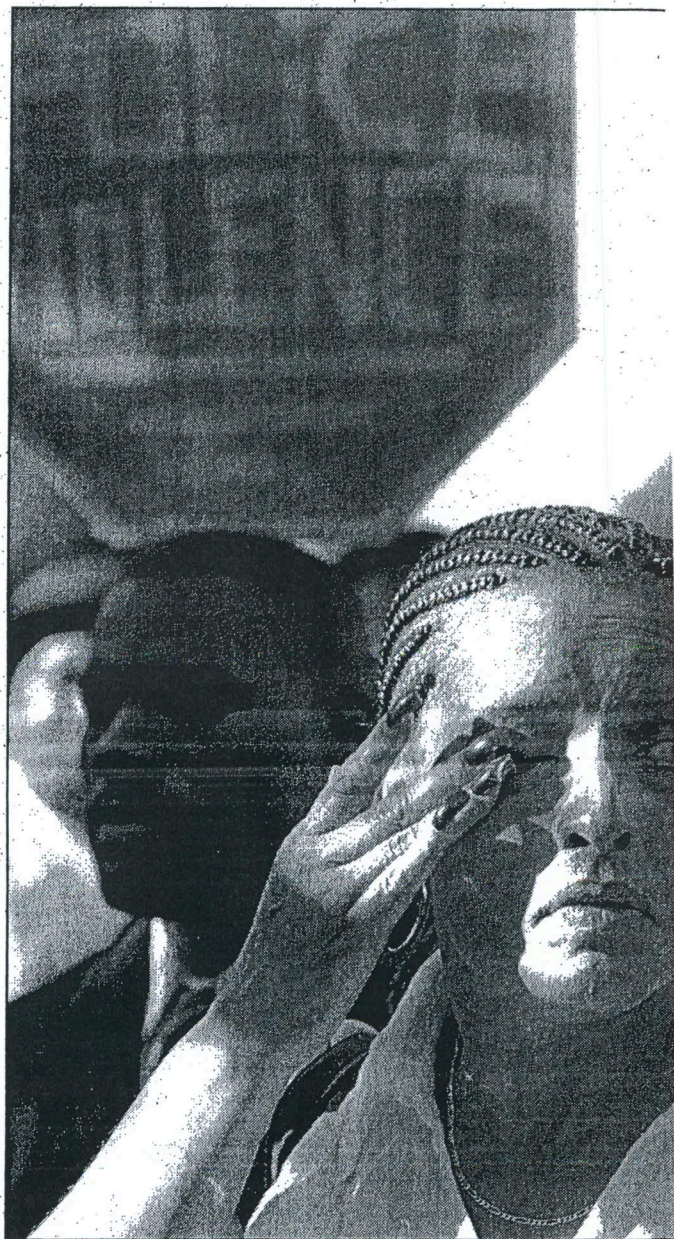
Police said officers opened fire on Byer, striking him five times, after he pointed a gun at them. A .22-caliber revolver was recovered from the scene, police said.

Brewington has said his client was unarmed. A spokesman for Nassau police said the gun recovered from the scene had been struck by a bullet — forensic evidence that, he said, would seem to support the officer's account that it was in Byer's hands when they opened fire.

But Brewington said Byer was carrying a bottle, not a



Frantz Byer's charges were reduced



NEWSDAY PHOTO / ROBERT MEC

Sandra Byer wipes away a tear at a rally in Freeport earlier this month to protest the police shooting of son Frantz Byer.

gun, when police opened fire. He said a witness who initially called 911 about a man with a gun later said that Byer was not the man he saw.

Earlier this month a crowd

made up of family, friends and members of the community assembled at Refuge Church of Christ and marched five blocks to Freeport Park, next to the police department.