

BY DENIS HAMILL

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CLEAN . . .

Buried beneath the headlines of the "Mafia cops" trial starting in Brooklyn Federal Court is the story of Police Officer Jeanine O'Malley of the 61st Precinct in Brooklyn, who was charged with a dozen felonies in 2002 and fully exonerated last month.

This all started on Oct. 22, 2002, when O'Malley - along with Officer Susan Lavin and Officer Robert Herold of the 61st Precinct in Sheepshead Bay - was arrested and charged with faking accident reports in exchange for cash and prescription drugs from a gang of con artists accused of ripping off \$1.5 million.

The case was made by the Police Department's Internal Affairs Bureau. O'Malley was charged with insurance fraud, falsifying business records, offering a false instrument, official misconduct and grand larceny.

In the scam, the three highway safety office cops were accused of forging accident reports to include "jump-ins" who also would be listed among the injured. The "jump-ins" would then file personal injury claims against the insurance companies. According to the Internal Affairs Bureau, the cops would be paid from \$20 to \$100, plus prescription drugs such as Vicodin.

Chump change to risk a career, a pension and jail.

O'Malley was arrested, handcuffed behind her back and taken to the 61st Precinct, where she had booked her own collars, was fingerprinted, and taken to Central Booking for a mug shot.

"It was the most humiliating experience of my life," she says.

The next morning, news stories bearing her photograph, along with Lavin's and Herold's, appeared in all the local newspapers and on TV news shows.

"My oldest daughter was about 13 at the time and my photo was on page one of Newsday," says O'Malley, who lives on Long Island. "She was destroyed. There was no Christmas in my house that year."

O'Malley comes from a proud family of cops. Her father, Tom O'Malley, is a retired 1st grade detective who spent 30 years on the job.

"My brother, my uncle, my cousins are all cops," says Jeanine O'Malley.

Tom O'Malley, a licensed private eye who made his bones in the 32nd Squad, recruited his old retired partner and squad commander, and together they worked his daughter's case.

"I was more afraid of my father than I was of the DA or IAB," says Jeanine O'Malley. "If he thought I'd sullied the family name on the job, I'd really be in trouble. But my dad stood by me through hell on Earth."

"I knew my daughter was clean," says Tom O'Malley. "And I was gonna help prove it."

This seasoned crew of retired sleuths hit the street and soon tracked down and interviewed a petty criminal they'd heard on the tom-toms was facing time on drug charges but whose name and cell phone number kept popping up in the insurance scam.

The Internal Affairs Bureau "was pressuring this guy to implicate my daughter in exchange for a deal on his drug charges," Tom O'Malley says. "But this guy kept telling them she was clean. They didn't want to hear it. So we got this guy on tape admitting that my daughter was completely clean."

Jeanine O'Malley was placed on limited duty, and as the months dragged on, the two Internal Affairs cops in the case received promotions and retired.

"The other two cops - Lavin and Herold - wore wires against me," says Jeanine O'Malley. "They both took plea deals and were eventually fired from NYPD. I kept coming up clean because I was clean."

Soon, Brooklyn Assistant District Attorney Kevin Richardson came to a similar conclusion. On June 17, 2004, Richardson stood in Brooklyn Supreme Court and announced that after reviewing the Internal Affairs Bureau case and interviewing Officer Jeanine O'Malley, he found "no evidence to proceed any further with trial."

Case dismissed.

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But Jeanine O'Malley still had to face the Police Department departmental trial, a veritable kangaroo court.

"The advocate's office offered me deal after deal after deal," says Jeanine O'Malley. "But I told my lawyer, Howard Tanner, from day one that I would not make any deals because I am 100% innocent."

She demanded a trial date.

Sixteen agonizing months later, Jeanine O'Malley had her day in court. The tape her tenacious father made with the street hood was allowed into evidence. The two original Internal Affairs Bureau cops, now retired, never appeared to testify. No one could offer any substantial proof of her guilt.

In October of 2005, the Police Department trial judge ruled that he found no evidence to support the charges against Officer Jeanine O'Malley.

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Even so, it was still the discretion of Police Commissioner Raymond Kelly to review the findings and fire Jeanine O'Malley. He didn't. Instead, the tough but fair-minded old Marine signed off on the trial judge's findings on Feb. 13, 2006.

Which cleared the good name of a very proud family of Irish cops named O'Malley in time for St. Patrick's Day.

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