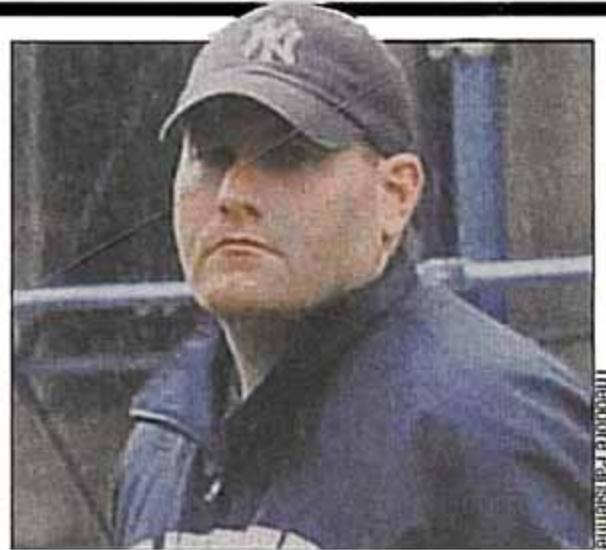




# COP 'DWM PLOT'



Theodore Parisienne

## Officers probed in bid at 'coverup'

**EXCLUSIVE**

NYPD investigators last night were grilling the first cops at the scene of the fatal crash involving fellow Officer Andrew Kelly (above) — to find out whether they gave him gum and water to help mask alcohol on his breath.

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# NYPD BOOZE 'RUSE'



**OUTRAGE:** NYPD cop Andrew Kelly, at the Brooklyn scene where he struck Vionique Valnord (oval), may have been given gum and water before a blood test. Anguished mom Philoisa Etienne (left) yesterday said the victim's "blood is on him."

NY Post: Chad Raehman

Theodore Pfisterine

## Fellow cops probed in 'bid to hide DWI scent'

### EXCLUSIVE

By MURRAY WEISS,  
PHILIP MESSING  
and DAN MANGAN

NYPD probes last night were investigating whether the first cops at the scene of Sunday's fatal crash involving an allegedly DWI officer plied him with gum and water to help mask booze on his breath, sources told *The Post*.

Investigators with the department's Internal Affairs Bureau began questioning the cops from Brooklyn's 63rd Precinct after learning of the possibility.

The explosive development came as the blood-alcohol test given to the cop, Andrew Kelly of the 68th Precinct, came up all zeroes when it was finally administered more than seven hours after the crash that killed a minister's daughter, other sources said.

If Kelly — who prosecutors said smelled of booze, had bloodshot eyes and slurred speech at the scene — had been given the gum,

it would not have affected the blood test. Drinking water could lead to faster urination, which would likely rid the body of only a relatively minor amount of alcohol, experts said.

The bombshell 0.0 blood-alcohol test could cripple the criminal case against Kelly for killing Vionique Valnord in Flatlands because it may now be impossible to calculate how much booze was in his system when the crash occurred.

"The defense has a strong case," said renowned forensic pathologist Dr. Michael Baden, who is not involved in the investigation.

A person could have a blood-alcohol level as high as 0.10 — significantly above the legal 0.08 limit — but still register a zero reading seven hours later because of the rate at which alcohol metabolizes, Baden said.

Still, Brooklyn DA Charles Hynes said, "We believe we have enough circumstantial and direct evidence to get a conviction," according to a spokesman.

That's small comfort to the

33-year-old Valnord's grieving mom. "He make me cry for my daughter," Philoisa Etienne said. "I feel sorry he got a kid. He got a wife. [But] the kid is still alive. The wife is alive... I got to bury my daughter Saturday."

"The blood of my daughter [is] on him."

LAB officers began focusing on the behavior of other cops almost immediately after the incident, one source told *The Post*.

Kelly's passengers — off-duty Officer Michael Downs and two longtime pals who work on Wall Street — were at the scene for about 45 minutes but not questioned and left, sources said.

Downs never told any of the investigating officers he was a cop, the sources said.

He went to his mother's house and, after conferring with a pal who's an officer, headed to the 70th Precinct, where he works, and told a superior what happened.

The other two passengers said they were later interrogated for hours — not over the crash, but about the 63rd Precinct cops' in-

vestigation at the scene, one source said.

Threatened with being charged with leaving the scene, the two men were told, "You're a bunch of cowards! You killed this poor girl!" the source said.

The probes demanded to know which cops were there and even where they were standing.

"They [investigators] were worried about [the Rev. Al] Sharpton, that he would be down there" because a white cop killed a black woman, the source added.

The two men and Downs burst into tears at times, sources said.

Kelly, who desperately tried to revive Valnord, wept when told she had died.

Kelly cried out, "I tried my best! I gave her CPR!"

Multiple sources yesterday shot down a report that Kelly and Downs worked a security detail during the Yankee-Red Sox game hours before the accident.

Sources said that earlier in the night, Downs had met up with Kelly and the two businessmen in a bar near the crash scene.

The group later allegedly went

to a private home to drink and watch a Notre Dame football game before heading back to a bar.

Kelly said he stopped drinking at 9:30 p.m. because he was scheduled to work the next morning.

At 12:41 a.m. Sunday, Kelly was behind the wheel of his Jeep, driving Downs and the two pals, when the vehicle struck Valnord on Avenue N. She had just left a wedding and was in the middle of the street.

Authorities had to obtain a warrant forcing Kelly to give a blood sample after he refused to take a Breathalyzer at the scene, sources said. Kelly then aggressively protested when a doctor at Kings County Hospital tried to take his blood there, they added. But the procedure was finally done at about 8 a.m.

Police Commissioner Ray Kelly said the more-than-seven-hour delay in testing Kelly was "not that unusual" because of the steps needed to get a court order.

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