

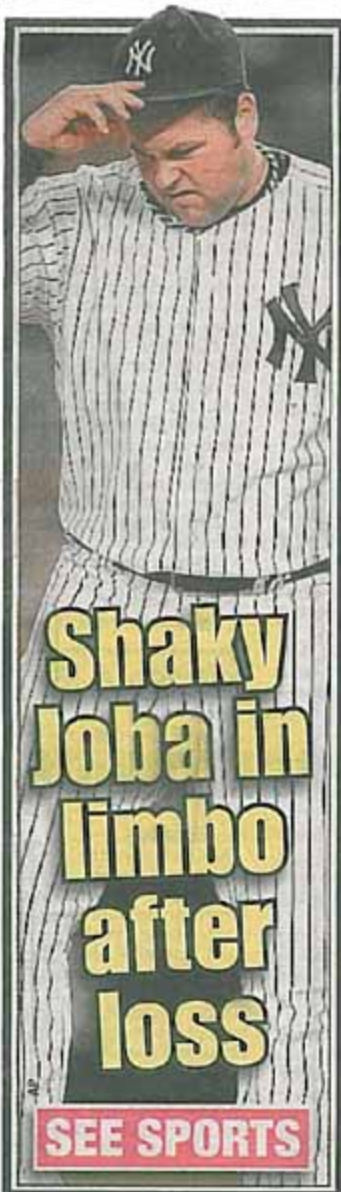


GLASS ACT

Hiram's gal stands by her manhandler



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Shaky Joba in limbo after loss

SEE SPORTS

DWI COP: I SAVED HER LIFE!



Outrageous claim by 'sober' officer

The DWI cop who mowed down and killed a minister's daughter was so sober after his night of boozing that he heroically brought her "back to life" before EMTs showed up, his lawyer said yesterday.



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COP'S DWI DEFENSE: HE'S REALLY A HERO!

By LARRY CELONA, MURRAY
WEISS and DAN MANGAN

The cop who mowed down a minister's daughter was not drunk — in fact, he was so incredibly sober after a night of boozing with pals, he heroically “brought the woman back to life” before handing her off to medics, his lawyer boldly claimed yesterday.

She died a short time later.

Andrew Kelly is charged with drunken driving and vehicular manslaughter. But his lawyer, Arthur Aidala, somehow believes that the cop's effort conclusively proves that the officer “was not drunk.”

Kelly, 30, was off-duty and driving a Jeep containing three buddies when he mowed down pedestrian Vionique Valnord, 33, in the middle of Avenue N in Flatlands, Brooklyn early Sunday. She was pronounced dead later that morning.

Kelly reeked of booze at the scene — despite the gum and water provided to him by 63rd Precinct cops — and had slurred speech and glassy eyes, prosecutors said. He has admitted to downing several beers that night.

Still, Aidala stands by his client's sobriety claims.

“He brought her back to life. When he handed her over to the EMTs, she was breathing,” Aidala said after meeting with Kelly yesterday. “Those are not the actions of a drunk, those are the actions of someone trying to save a life, not take a life.”

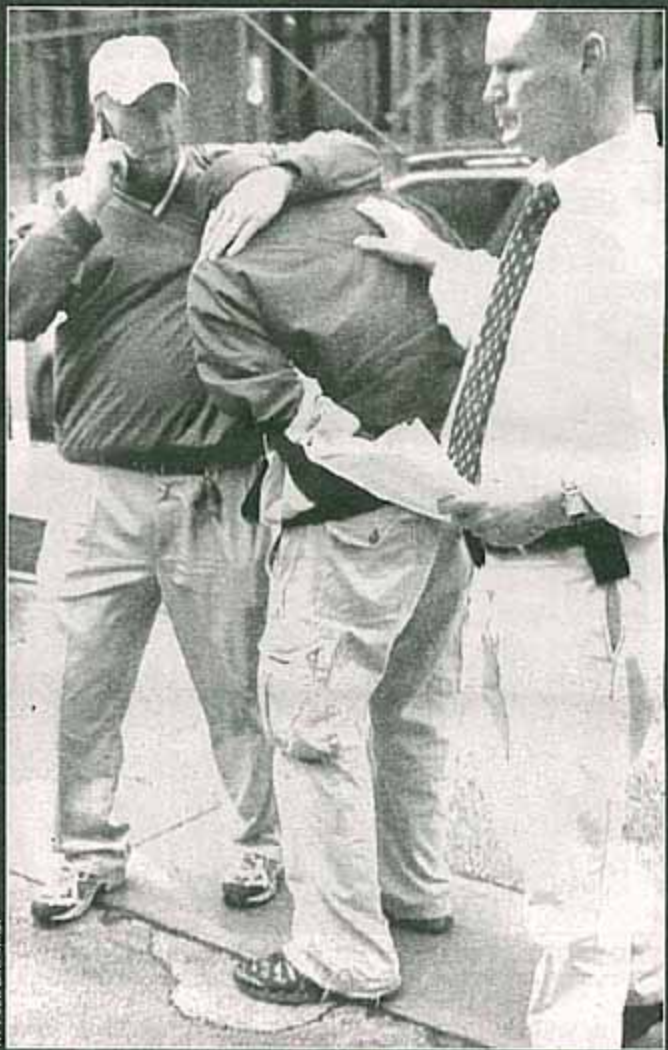
One source close to Kelly said the 240-pound cop wolfed down four slices of pizza and stopped drinking around 9:30 p.m. because he was “designated driver” for his buddies, including fellow off-duty officer Michael Downs.

The precinct cops who plied Kelly with gum and water are being probed by the NYPD's Internal Affairs Bureau. They claim he did not appear drunk or smell of booze, sources said.

One cop told IAB that he gave Kelly gum to calm the shaken officer, and that a captain who spoke to Kelly did not object to him drinking from a bottle of water at the scene, sources said.

It's a tragedy that deserves the closest of scrutiny. And, if true, the allegations of a DWI hit and cover-up are reprehensible.

— Mayor Bloomberg



SOBER TALK: Andrew Kelly — shielded from fotogs by fellow cops after he killed Vionique Valnord (left) — “was not drunk,” his lawyer insists.

Mayor Bloomberg, reacting to The Post's report of the IAB probe, said, “It's a tragedy that deserves the closest of scrutiny, and if true, the allegations of a DWI hit and cover-up are reprehensible.”

“The public can be assured we will get to the bottom of this.”

Kelly's lawyer, Aidala, said, “If you've just given CPR and you're in shock and someone gives you the common, human courtesy of water or gum, that won't change your blood alcohol count.”

“Andrew was not drunk,” Aidala said. “He wishes she was still breathing today.”

“After all the evidence is put on the table, I am confident that Andrew will be cleared of all criminal charges.”

A blood-alcohol test not given until seven hours and 20 minutes after the crash appears to be Kelly's best defense. It showed absolutely no booze in Kelly's system.

That result, experts said, makes it impossible to prove by extrapolation how much — if any — alcohol was in his system during the crash.

The long lag in taking Kelly's blood is being attributed to him initially refusing a Breathalyzer test, and time it took to assemble evidence to submit to a judge to order the blood test.

“I just think the prosecution has a very, very weak case here,” said David Hanson, a SUNY Potsdam professor who specializes in alcohol studies.

Kelly's mother, speaking at the door of the family's Brooklyn home, said, “It's a tragic accident.”

Additional reporting by Austin Fenner

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