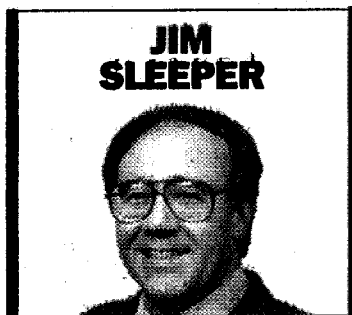


How bad apples broke good cop

12/4/94

LIKE THE RURAL VILLAGE Staten Island used to be, District Attorney William Murphy's office is almost an extended family. Detective Mark Marino was a member of that "family" in the late 1980s, working in Murphy's detective squad alongside colleagues who golfed with Murphy and had known him since school days. Marino's wife worked as a secretary in Murphy's appeals bureau. Marino's father, Sam, an assistant police chief, was Staten Island's borough commander.



JIM SLEEPER

Marino, a 1982 Police Academy graduate, had a promising record studded with triumphs and awards. It was he who'd given Sgt. Joseph Tromboli an introduction to drug dealer Ralph Pittman, whose tips led to the arrest of Michael Dowd and other rogue cops. After a three-year stint at the NYPD's Internal Affairs Division, Marino had been happy to join Murphy's detectives in his home borough in 1987.

But Marino felt he had encountered the family's bad side — cronyism, incompetence, politicization and, in his view, malfeasance. He thought he was defending police honor when, in January 1992, he told Internal Affairs what he'd witnessed or learned about in Murphy's squad: probes he felt had been "squashed" from above; property from drug busts misappropriated, and police computers and rental cars misused for detectives' own "side" businesses and jaunts.

Marino called IAD anonymously because, having worked there, he knew it often leaked informants' identities to the subjects of probes, turning the heat against good cops, not bad. By now, he'd already left Murphy's detectives' squad in disgust to work for other squads in Manhattan. His wife had left late in 1991 to take care of their new child. His dad had retired from the NYPD after 33 years of service.

Marino's call did prompt a big IAD probe, complete with finger pointing, formal departmental charges and administrative punishment. But, incredibly, all that was aimed at Marino, not at Murphy's squad. As ex-inspector Daniel Haggerty told me recently, IAD informed Murphy of Marino's charges before investigating them. And, at Murphy's insistence and expense, IAD traced the call from Marino, who says he came forward when he

learned he was being sought.

Marino was astonished when IAD investigators who met him at a diner to interview him about conditions in Murphy's squad brought along one of Murphy's assistants. When Murphy's assistant district attorney, Mario Mattei, told detectives of Marino's call, they froze out IAD, left dead rats in Marino's car, sent threatening notes and canceled his reservation of a hall for his child's christening.

Someone even sent an unsigned note to Murphy's home, reporting an "affair" on his staff. The note was blamed on Marino, whom the IAD humiliated by finger-printing for possible charges of harassing the district attorney. But the prints on the note weren't his. The matter was dropped.

Yet the NYPD formally charged Marino with calling anonymously (a practice former Police Commissioner Ray Kelly later encouraged) and with lacking "reliable information," although it's IAD's duty, not an informant's, to get at the truth.

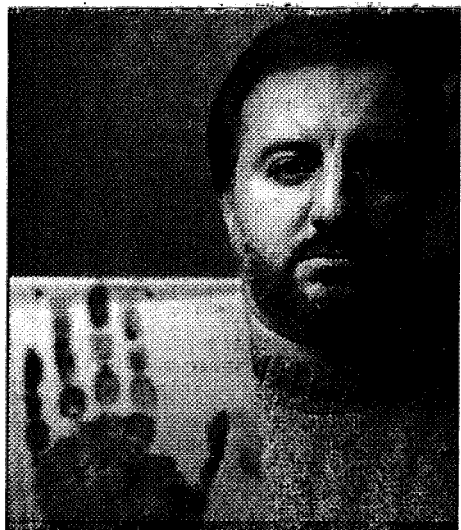
"Somebody high up in the NYPD had to direct somebody to detail Marino's charges, just to claim they were false," says Peter Mancuso, president of the Concerned Alliance for Professional Policing. "Even more extraordinary, it must have been done as the Mollen Commission was probing police anti-corruption efforts."

Did IAD's bizarre behavior reflect pressure as powerful as a district attorney's? Murphy's office didn't return calls. Ex-commissioner Kelly says that while Murphy raised "the Marino problem" with him, he felt no pressure to punish him.

As Marino's ordeal became public, new IAD chief Walter Mack asked his aide Jack Klinger to investigate. Klinger and another IAD inspector told Mack that the NYPD ruined a good cop's reputation while failing to resolve problems he'd pointed out in Murphy's squad.

Mack says an overview of Marino's complaints and ordeal is still open. But Marino's isolation became so deep that, defeated and dejected, he accepted a "bargain" brokered informally by a detectives' union representative. It required him to plead guilty to calling anonymously without "reliable" information and to accept a token punishment (which Kelly mysteriously increased but then dropped after I reported it). In October, Marino retired on a ¾ disability pension occasioned by a knee injury.

"Mark Marino has a conscience too big for his body," says a top NYPD investigator. "Maybe he let the Murphy squad's sloppiness and cronyism bother him too much. We may never know. But I do know this: What was done to Mark was inexcusable. It stains the department more than it does him."



JOE DEMARIA DAILY NEWS

BLACK MARK: Mark Marino holds fingerprints that NYPD returned to him after he was targeted for possible charges.