

# CHEATING S.I. COP CLEARED OF RAPE

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An NYPD sergeant was cleared of rape yesterday in a case that can be summed up in two of the Ten Commandments: Thou shalt not covet thy neighbor's wife and thou shalt not bear false witness against thy neighbor.

A Staten Island grand jury refused to indict 19-year veteran Vincent Chiarello, who was accused of the attempted rape and sodomy of his neighbor of 4½ years, Lori Gonzalo.

Chiarello admitted that he and Gonzalo had a make-out session in her upstairs bedroom on Oct. 31, 2001, but said it was consensual and denied they had intercourse, a source told The Post.

"They had a flirtatious relationship," the source said. But in the biblical sense, "it never went beyond heavy petting."

But the relationship apparently soon soured.

Then, Gonzalo ratted the sergeant out to his wife, Ruth — telling her that her hubby was playing both sides of the fence, the source added.

That's when things really heated up.

His wife flew into a rage and phoned Gonzalo — leaving a string of epithets on her answering machine, which was played before the grand jury.

Gonzalo called cops and accused the sergeant of forcing himself on her, the source said.

The Police Internal Affairs Bureau and the Staten Island DA launched investigations.

Chiarello was never arrested, but was placed on modified duty.

On Tuesday, Chiarello testified before the grand jury as his wife waited outside.

The source said that it wasn't just Chiarello's testimony that cleared him of wrongdoing.

Neighbors came to his rescue branding Gonzalo as a neighborhood flirt, according to the source.

But a Gonzalo family member said, "I think it's disgusting how the DA covers up for the Police Department, because he'll do it again and again."

Defense lawyer Joseph Tacopina said, "This closes what has been a very traumatic two months for the Chiarello family."

"It allows him and his wife to put it behind and look to the future as a family."

Tacopina said that he anticipates Chiarello will go back to his old job as a training officer.

The only punishment both sides will face is that they will have to see each other every day.

They still live on the same street.