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# Two plainclothes cops gunned down in Brooklyn after ditching cab duty to respond to store robbery

'Scum of the earth' Jerome 'Jerry the Jew' Rosenberg turned himself in to the Daily News

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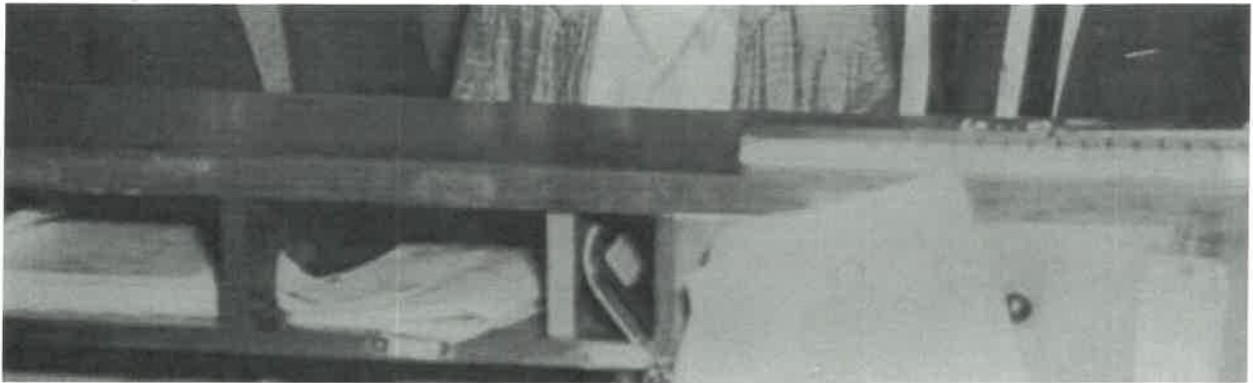
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CHARLES FRATTINI

**Jerome Rosenberg is booked at the station house by Detectives Leo Rostow and Edwin Nally.**

The gumshoes had an eye for trouble, and they saw it in two greasers wearing shades who lurked on New Utrecht Ave. in Borough Park, Brooklyn.

Detectives Luke Fallon and John Finnegan were near the end of their shift on the 70th Precinct taxicab squad at 4 p.m. on May 18, 1962.

They worked perilous plainclothes duty posing as hacks to catch stickupmen who preyed on those vulnerable targets.

They were cruising in a banged-up orange-and-white taxi that afternoon when they saw the two hoods slink inside Boro Park Tobacco Co., at 48th Street off New Utrecht.

Both cops were from Brooklyn. Fallon, 56, a grandfather of three with 25 years on the job, lived on 54th St., a mile from the scene. Finnegan, 28, lived 3 miles away, on Linden Blvd. in Flatbush, with his wife and three children, none yet school-age.

The detectives heard a gunshot from the tobacco shop as they idled in the taxi down the block.

Inside the store, ex-cons Anthony (Baldy) Portelli, 25, and Jerome Rosenberg, 24, had announced a robbery and fired a shot into the ceiling to motivate the manager to dig deep for loot.

They were sprinting away with \$4,000 in cash as they met the cops at the door.

Police said Portelli, hollered, "Don't shoot! I quit!"

But he was playing possum. Portelli dropped Fallon with a shot to the heart. After emptying his gun, Finnegan was mercilessly slain while trying to reload.

The perps stepped over the bodies to flee. They arrived outside to discover that their getaway driver had bolted after hearing the shots. They split up and ran.

Portelli caught a plane to Chicago but was arrested at a motel there when a hoodlum pal dropped a dime on him. He was paraded for the press at the old New York International Airport (now JFK) three days after the murder.

Jerry Rosenberg's arrest became a Daily News front-page scoop.

His parents lived in Brooklyn near Gary Kagan, a News photographer. Cops, seething over the murders, were scouring the city for Rosenberg. Kagan advised Louis Rosenberg that a newspaper surrender might save his son from an assortment of nightstick welts and lumps.

Kagan and News scribe Nathan Kanter arranged to meet Rosenberg in the Bronx on May 23, 1962, the suspect's 25th birthday. He was whisked to the News Building on E. 42nd St. and handed over to police — after he told his life story and posed for exclusive pictures.

There wasn't much to tell. His life had been a short ride to nowhere.

Raised by decent parents, Rosenberg was a Hebrew school dropout who was working a protection racket in Coney Island by the time he was a pimply adolescent. He joined the Army but was booted after three months. He tried marriage but failed at that too.

He was just as lousy at his chosen profession — crime. He racked up four convictions as a teenager and split time between reformatories and prison.

Both Portelli, the triggerman, and Rosenberg had been paroled after robbery convictions less than a year before the Borough Park job. They were convicted of felony murder on Feb. 18, 1963, and condemned to die in the electric chair.

Cops cheered the sentences.



But Old Sparky was all but mothballed by then as the tide shifted on execution in New York, which had been a leader in capital punishment during the 20th Century, executing about 600 people from 1900 to 1960.



DAILY NEWS

**Cop killer surrenders at News office: In private office of the News, Jerome Rosenberg gives story to reporters Sidney Kline (right) and Nathan Kanter. At left is photographer Gary Kagan.**

On June 1, 1962, two weeks after the Fallon and Finnegan murders, Gov. Nelson Rockefeller had signed into law a bipartisan bill that eliminated the death penalty except for those who killed police or prison officers.

News stories said it was “widely assumed” that Portelli and Rosenberg would not be spared.

But on Oct. 7, 1965, the two men were quietly moved off Death Row when Rockefeller commuted their sentences to life. The maneuver was concealed from the press, the public and even Brooklyn DA Aaron Koota for months.

The governor claimed he was forced to give clemency because the men had been convicted of felony murder — a homicide committed during a robbery — and not premeditated murder.

Portelli had a relatively brief life in prison. He died there in 1975.

But Rosenberg lived on and on.

He completed a correspondence school law degree and developed a reputation as a passionate jailhouse lawyer known as “Jerry the Jew,” a nickname he proudly embroidered on the breast of his prison blues. He was the subject of a book and TV movie in the 1980s.

But his legal skills failed his own cause.

Thanks to unrelenting pressure from cops and loved ones of the slain detectives, Rosenberg was denied parole every two years beginning in 1982, when he became eligible to apply.

He was the longest-tenured jailbird in the state when he died at age 72 in 2009 at Wende prison near Buffalo. He spent 46 years locked up.

The first sentence in his Wikipedia biography buries the lead: “Jerry Rosenberg was a jailhouse lawyer.”

He was a killer first.

When Rosenberg died, Det. Fallon's daughter, Joan Scheibner, gave the Daily News a different epitaph for his tombstone: "He was the scum of the earth."

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