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Kenneth McCabe, 59, a Dogged Investigator of the Mob, Dies

By **DOUGLAS MARTIN** FEB. 27, 2006

Kenneth McCabe, an investigator who became a quiet legend among crime fighters by spying on and testifying against mobsters to help topple godfathers, died on Feb. 19 at his home in Breezy Point, Queens. He was 59.

His daughter, Kelly McCabe Casey, a prosecutor in the office of the Brooklyn district attorney, where Mr. McCabe was an investigator for many years, said the cause was melanoma that had spread to his brain.

Mr. McCabe was known for his careful observations of Mafia chieftains at their social clubs, weddings and funerals. Then he testified at their trials with such detail that few defense lawyers dared question him for fear of surprises.

He took a great many pictures, including some mobsters' children's weddings, inspiring some to call him the Cosa Nostra's unofficial photographer.

Mr. McCabe was a member of the New York Police Department for 18 years, most of that time as a detective assigned to the Brooklyn district attorney's office, and then for 20 years was an organized crime investigator for the United States attorney's office in Manhattan. Even after illness forced his retirement in December, he was asked to assess evidence.

Mr. McCabe, a towering, beefy man with a gentle manner and a Brooklyn accent, was regarded as a master of surveillance. By studying behavior, he sorted out bosses, soldiers and pretenders and was said to never have forgotten a face.

In 1972, The New York Times reported the scene when he identified Carmine Tramunti, then the acting boss of the Luchese crime family.

"That's him, all right," Mr. McCabe said as the man appeared after a three-hour stakeout. "Easy now. Wait till he gets into his car."

A car carrying detectives suddenly screeched around the corner and cut off Mr. Tramunti at the curb. They thrust a subpoena in his hand, which he promptly crumpled, while mouthing obscenities. That was one of 300 subpoenas issued that day in the sort of sweeping operation that typified Mr. McCabe's career, a period when law enforcement ground down organized crime. Proving conspiracies was a dominant part of this effort, and Mr. McCabe's photographic memory was as necessary as his photographs.

James B. Comey, a former United States attorney in Manhattan, cited an example: investigators needed to link someone in the Luchese family directly with a Gambino capo.

"That's easy," Mr. McCabe said. "The 1983 Gallo wedding."

Seemingly tiny things he discerned mattered mightily, said Walter Mack, former chief of the organized crime unit in the Manhattan federal prosecutor's office.

"If so-and-so is walking in with so-and-so, that's a major seismic change," Mr. Mack said.

Patrick J. Fitzgerald, the special prosecutor in the Valerie Plame leak investigation, who had worked with Mr. McCabe in Manhattan, said: "If you went to ask him a name of somebody involved in organized crime, not only did he know the person, but he might have arrested him once or twice, or been to his house."

Mr. McCabe contributed critical evidence to the trials of Paul Castellano, the head of the Gambino family until he was gunned down in 1985; the "commission" that coordinated Mafia activities; John Gotti and many more.

A 1984 picture, reproduced many times, showed Mr. McCabe arresting Mr. Castellano. According to 1986 court papers, he then doggedly watched social clubs and funerals to determine definitively that Mr. Gotti had succeeded him.

Mr. McCabe wrote no books, did not court politicians and avoided interviews. In court, however, he revealed much. His command of detail recalled "the steel-trap mind of a card counter," the columnist Steve Dunleavy wrote in *The New York Post* in 2004.

In a trial in 2003, Mr. McCabe told of a new edict requiring Cosa Nostra initiates to have both a mother and father who are Italian. He also revealed then that the Bonanno crime family had changed its name to Massino.

Joseph Massino later went to prison for murder, and his successor, Vincent Basciano, faces murder and racketeering charges. Mr. Basciano's trial was postponed because so many law enforcement leaders attended Mr. McCabe's funeral.

Kenneth James McCabe was born in the Park Slope neighborhood of Brooklyn on May 14, 1946. His father was an assistant district attorney in Brooklyn.

He attended local Roman Catholic schools and graduated from Loyola College in Maryland. He joined the Police Department in 1968, the same year he married Kathleen Moriarty.

She survives him, along with his daughters, Kerry McCabe and Kelly McCabe Casey, both of Breezy Point, and Kristen McCabe Ryan, of Rockaway Beach, Queens; his son, Kenneth Jr. of Marine Park, Brooklyn; his sisters, Rosemary Travis of Fairfield, Conn., and Anne Marie Grozinger, of Breezy Point; his brothers, John, of Hampton, N.J., and James, of Chesapeake, Va.: and five grandchildren.

Mr. McCabe was beaten at least once and threatened many times, but his straightforward manner earned a grudging respect even from mobsters, some of whom requested that he be the one to arrest them. In 2001, Jerry Capeci wrote in his online column, "This Week in Gang Land," about an encounter Mr. McCabe had in 1991 with Anthony Spero, a consigliere in the Bonanno family, while observing him in Bath Beach, Brooklyn.

Mr. Spero approached Mr. McCabe's car and the two exchanged jokes. Mr. Spero said he planned to retire. Mr. McCabe replied that he hoped he would go somewhere warm, because he "didn't want to do surveillance in the cold."

The mobster did not retire. Mr. McCabe watched his comings and going in Bath Beach for seven more years, until Mr. Spero was arrested on charges of racketeering and murder, charges on which he was convicted in 2001.

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