

Detectives of the Month

February 2001

Thomas O'Malley — 10 Squad

On the evening of July 8, 1985, Doctor Robert Bierenbaum went to the 19th Precinct on the Upper East Side of Manhattan to report that his wife, Gail Katz, was missing. After a few days, Missing Persons Squad Det. Thomas O'Malley caught the case. He found Bierenbaum's story highly suspicious. The doctor claimed that he and his wife had been arguing the day before and that she left their apartment "to cool off" in Central Park. When she didn't return that night, he said their friends told him not to immediately report her absence to the police, but to leave her in the park by herself. The Doctor wouldn't say who these friends were and while Bierenbaum claimed that the day of his wife's disappearance he was visiting in New Jersey, he couldn't come up with arrival or departure times from any supposed location. O'Malley was deeply disturbed and annoyed by the Doctor's evasive responses.

O'Malley soon discovered that Bierenbaum had also conveniently neglected to reveal that he was a pilot who often flew his plane in New Jersey, and that on July 7th, at the time that he said he was arguing with his wife, he had actually been in a small Cessna over the Atlantic Ocean for two hours.

During his intensive 15 month investigation, O'Malley discovered that all of the evidence suggested that Katz had not vanished on her own volition, but had been murdered by her violent husband, who two years earlier had strangled his wife to the point of unconsciousness.

But since Gail Katz' body hadn't been discovered, the Police Department refused to push the case from Missing

Persons to Homicide and the D.A.'s office would not convene a grand jury. Even though all involved knew a body would never be recovered, domestic violence wasn't pursued with the same vigilance as it is today, and by 1986 the case was languishing as a National Crime Information Center statistic. Frustrated and disgusted by the stalemate, Det. O'Malley requested transfer to a precinct squad.

The victim's family, however, could not let go. By 1998, the victim's sister, Alyne Katz, had summoned up enough political muscle to push the District Attorney's office into re-examining the files. She was convinced that her brother-in-law had killed Gail. Chief Manhattan D.A. Investigator, Andrew Rosenzweig, a retired NYPD lieutenant, gave the green light to D.A. Investigator Tommy Pon to contact O'Malley, now with the 10th Squad.

With the assistance and perseverance of three aggressive and indefatigable Assistant District Attorneys — Daniel Bibb, Adam Kaufmann, and Stephen Saracco — the case was reopened with zeal. The prosecutors meticulously reviewed every detail of Katz' disappearance; they traveled out of state, and, after more than a decade, tracked down every witness. They ripped apart every aspect of Bier-

enbaum's new life as a remarried doctor in North Dakota. The absence of a body was still a problem, but there was enough circumstantial evidence for these determined A.D.A.s to make a case before a grand jury. They did, and made their charge of Murder 2 stick. In September of 1999, Bierenbaum was indicted and brought back to New York City to answer for the mysterious disappearance of his wife.

After a month's trial and a skillful summation by A.D.A. Bibb, the jury returned with a verdict of *guilty*.

Although Gail Katz' body will never be recovered from where prosecutors and police believe it was dumped — in the Atlantic Ocean — at least her friends and family can rest assured that Bierenbaum did not permanently get away with murder. He was sentenced to 20 years to life.

For never losing hope or heart that this case would come to a successful conclusion, we honor dogged Detective Thomas O'Malley as our February, 2001 Detective of the Month.

The DEA recognizes that without the District Attorney's Office this case might not have been reopened, so we bestow special recognition to those who ensured justice: Andrew Rosenzweig, now retired, but who spent over 13 years as Chief Investigator for the New York County District Attorney's Office; active D.A. Investigator Tommy Pon; and three extremely tenacious A.D.A.s — Daniel Bibb, Adam Kaufmann, and Stephen Saracco.



Pictured left to right are Daniel Bibb, Adam Kaufmann, Det. Thomas O'Malley, Stephen Saracco and Tommy Pon.