

# City argues to retain 'horrific' autopsy photos

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By Patrick Lakamp

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The lawyer hired by the city to block the release of Amanda L. Wienckowski's autopsy photos called the images "horrific" and "difficult to look at."

"If they somehow end up in the public eye, it would be an awful thing for the investigation," said Michael B. Risman, the former Buffalo corporation counsel retained by the Police Department to deal with the autopsy dispute.

"It's a concern about confidentiality," Risman said in court Thursday before State Supreme Court Justice Gerald J. Whalen.

Risman said police officials would not be able to sleep at night knowing that autopsy photos taken from their custody could possibly end up on the Internet because "we live in a media age."

But it's exactly the disturbing nature of the photographs that should compel local officials to release them to Dr. Silvia O. Comparini, the Los Angeles pathologist working on behalf of Wienckowski's family, the family's lawyer said.

"These pictures don't depict an accidental overdose," attorney Steven M. Cohen said.

Cohen questioned how police can sleep at night now with Wienckowski's killer still at large.

After the frozen, naked body of the 20-year-old woman was found Jan. 9, 2009, in a plastic garbage tote outside a Buffalo church, the Erie County medical examiner's office declared that her death was accidental and was caused by an opiate drug overdose. That ruling stalled any criminal investigation.

Comparini tentatively ruled the death a homicide after a partial examination of Wienckowski's remains earlier this year.

Until the medical examiner's accidental death ruling is changed, there's little chance the Police Department will actively investigate her death, nor would prosecutors have much of a chance at winning a murder conviction even if a killer is caught, Cohen said.

Comparini needs the photos to know what the body looked like at the time of the first

autopsy. That will help her understand what she saw at the second autopsy, Cohen said.

"This isn't a contest to see who can do a better autopsy," Cohen said. "This is a search for the truth."

The city has said it would allow Comparini to look at the photos -- but not keep them.

Cohen, however, said it's financially difficult for Wienckowski's family to pay the travel costs of the pathologist to make another trip to Buffalo.

Brian Liebenow, an assistant Erie County attorney representing the medical examiner's office and the county Health Department, also raised the specter of Wienckowski's photos and DNA results being "paraded around before the media."

Cohen told Whalen that only Comparini -- not Cohen or any of the attorney's investigators -- would see or have possession of the autopsy photos.

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