

Wienckowski case prompts push for felony law on handling remains

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By Lou Michel

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A proposed law prompted by the dumping of Amanda L. Wienckowski's remains into a garbage tote three years ago would make it a felony to improperly dispose of human remains.

State Sen. Mark J. Grisanti, R-Buffalo, has introduced a bill calling for "Amanda Lynn's Law," under which those convicted of the Class D felony could face up to seven years behind bars.

Disposal of a body without the authority of a burial or removal permit is currently a civil violation, according to Erie County District Attorney Frank A. Sedita III, who commended Grisanti for introducing the legislation.

The lack of stronger legal measures, Grisanti said, "is inadequate to address situations where a body is moved or concealed so that discovery of the person's death will be hindered."

The body of Wienckowski, a 20-year-old Kenmore native, was found frozen inside a trash receptacle on the morning of Jan. 9, 2009, outside a church at Spring and Clinton streets in Buffalo.

"Moving a body with such odious intentions is a serious crime deserving of an elevated penalty," Grisanti said of the circumstances surrounding how Wienckowski's body was found.

Sedita added, "It is disgraceful that under the current laws of the state, such an abominable act as body dumping is not criminal in nature."

Wienckowski had disappeared Dec. 5, 2008, and the last person known to have seen her alive was Antoine J. Garner, who lived across the street from the church. He has not been charged in the death.

Garner is currently in the Erie County Holding Center on various assault charges involving two other women and harassment charges from threats he allegedly made to Leslie L. Brill, Wienckowski's mother.

A debate over how Wienckowski died also remains unsettled.

Her family says she was strangled, based on the findings of a West Coast pathologist hired to conduct a second autopsy.

Erie County Chief Medical Examiner Dianne R. Vertes has stuck by her autopsy findings that determined Wienckowski died from a drug overdose.

Emily P. Trott, attorney for the Wienckowski family, says she is taking legal steps she hopes will eventually require Vertes to update her findings to homicide.

Grisanti said the proposed legislation has been forwarded to the Senate's Codes Committee for review.

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