

2 more experts challenge county on cause of Wienckowski's death

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By Lou Michel

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Kathy Weppner, with mother of the late Amanda Wienckowski in background, tells Council hearing of medical evidence indicating strangulation.



Amanda L. Wienckowski's death, which the medical examiner links to overdose, is at center of dispute over whether cause on certificate should be homicide.

By Lou Michel

Amanda L. Wienckowski did not have enough morphine in her blood to cause her to die of an accidental drug overdose, a respected out-of-town pathologist has determined.

And a local ear, nose and throat specialist says that a fractured bone and broken cartilage in the dead young woman's throat indicate that she was strangled.

Those two new developments came out at a Common Council Legislation Committee hearing Tuesday where Chairman Darius G. Pridgen, of the Ellicott District, lambasted the Erie County medical examiner for refusing his request to appear at the session. He called it an "arrogant" gesture, given that Wienckowski's survivors were present and have no objection to a public discussion of her autopsy results.

During the emotional session, Pridgen received assurances from Erie County Legislature Chairwoman Betty Jean Grant, D-Buffalo, that she will move forward with a County Legislature hearing at which the county's chief medical examiner, Dr. Dianne R. Vertes, will be "strongly urged" to attend and answer questions.

Steven M. Cohen, the attorney spearheading the Wienckowski family's efforts to get the Medical Examiner's Office to revise the death certificate from an accidental overdose to a homicide, said an Albany-area pathologist, Dr. Michael Sikirica, reviewed the county's autopsy results and found that there was not enough morphine to cause death.

This finding, Cohen said, further proves that the 20-year-old Kenmore woman was murdered.

Four years ago, Wienckowski's frozen body was found upside down in a garbage tote outside a church at Clinton and Spring streets on Buffalo's East Side, across the street from the home of Antoine J. Garner, the last person known to have seen her alive and who has been described by authorities as a person of interest in the death.

Cohen provided copies of Sikirica's opinion at the committee hearing. "It is my opinion a morphine level of .08 milligrams per liter is not at all uncommon in habitual users," Sikirica stated.

Wienckowski was known to have struggled with drug addiction.

Sikirica also said, "The extent of the injuries around the decedent's neck, which were carefully and thoroughly documented by Dr. Comparini, indicate direct pressure applied to the neck either during strangulation or during a combined strangulation-suffocation type event."

Dr. Silvia O. Comparini, a West Coast pathologist hired by the Wienckowski family, determined in a second autopsy that Wienckowski was strangled.

Kathy Weppner, a spokeswoman for the family, told Council members that Dr. James F. Chmiel, the ear, nose and throat specialist, determined that bone and cartilage in the woman's neck was crushed and that she could not have survived that type of injury. "About six weeks ago, we met with Assistant District Attorney Christopher Belling and [district attorney's investigator] Joseph Riga at Dr. Chmiel's office, and they were told that the injury to Amanda's neck was not survivable," Weppner said in criticizing District Attorney Frank A. Sedita III for not accepting the findings of Chmiel and Sikirica.

Weppner also repeatedly pointed out that in the second autopsy, Comparini found black-and-blue finger marks on Wienckowski's neck, which further indicated strangulation. "Something has gone very wrong with society when we won't investigate a murder; but steal a garbage tote, and we're all over that," Weppner said, referring to a complaint that had been filed with the Buffalo Municipal Housing Authority that led to the discovery of Wienckowski's remains.

A neighbor of Garner had reported the tote missing, Weppner said. Garner remains behind bars on charges from unrelated cases.

Cohen also pointed out that the second autopsy found defensive wounds on Wienckowski's arms, further supporting a case for foul play.

Buffalo businessman Carl P. Paladino, who has supported the Wienckowski family's efforts to get the county autopsy revised, said he spoke with Comparini and was told that there was no way one individual could physically place Wienckowski upside down in a "jackknife" position in the tote.

"So there was an accomplice," Paladino said in joining Pridgen in criticism of the medical examiner. "We have a systemic problem in our Medical Examiner's Office. They never should examine another body. A little girl has died, and our county and city officials deny justice."

Cohen said that Sedita is more than willing to move ahead with a homicide prosecution but that because the medical examiner will not revise the death certificate, it would prove a major impediment at a murder trial.

Grant said she wants the Council to adopt a resolution requesting that the County Legislature move ahead with a hearing on the case so it could move forward at the county level.

"We started penning the resolution 10 minutes after the committee meeting, and it will be filed Thursday morning," Pridgen said Tuesday night.

Leslie L. Brill, Wienckowski's mother, was present at the hearing but was unable to speak because she has a severe case of laryngitis. After the session, she expressed gratitude to all those who have taken up her cause in learning more about her daughter's death.

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