

Amanda Lynn's Law OK'd by Senate, Assembly

niagara-gazette.com/news/local_news/amanda-lynn-s-law-okd-by-senate-assembly/article_a8af102d-bb90-5949-9ffd-b3f03d61c9b1.html

Staff Reports

June 22, 2015

After a five-year impasse, a law intensifying penalties for unlawfully handling a deceased body has cleared both the New York State Senate, along with two others supported by the 62nd district's freshly elected representative.

Legislation increased from a misdemeanor to a class-E felony the penalty for disposing of a body with a burial or removal permit, in honor of the late Amanda Lynn Wienckowski, who at 20 was found dead in a Buffalo garbage tote in 2009.

Along with "Amanda Lynn's Law," state Sen. Robert G. Ortt, R-North Tonawanda also supported resolutions that called for a halt the diversion of Niagara Frontier Transportation Authority's (NFTA) appropriations to the state's general fund for "governmental purposes" before their release to the NFTA and authorized the creation of a "scrap metal registry" to reduce metal theft.

Ortt was a sponsor on all three, while Kenmore's Democratic Assemblyman Robin Schimminger sponsored Amanda Lynn's Law in the lower house, though Gov. Andrew M. Cuomo will need to sign the bills before they take effect.

"Current law for concealing or moving a body doesn't go far enough," Ortt said of the bill. "It's impractical, and the fact that new legislation wasn't introduced decades ago is preposterous. I applaud Assemblyman Schimminger for his support on this bill, and the tireless efforts of both of our offices in getting this pushed through."



To thwart the impasse, amendments to the bill were made, including the crime of body tampering being reduced from Class-D felony status to Class-E, and includes language that calls for the charge to be imposed if the body is used as evidence in an “official proceeding,” an autopsy in a criminal investigation, or an examination by law enforcement personnel.

“We hope that this legislation will bring some closure to Amanda Lynn’s family and provide law enforcement officials with another vehicle to prosecute criminals who commit similar crimes,” Schimminger said, while adding congratulations for the cooperation of the two houses.

Wienckowski’s mother, Leslie Brill-Meserole, has been pushing for increased penalties since her daughter’s death six years ago.

“I’m so ecstatic this bill has finally passed in both houses,” she said. “I can’t bring Amanda Lynn back, but I feel that her loss can save the next victim.”

The NFTA metro service, according to Ortt’s office, carries 94,000 people a day with the help of 1,119 full and part time employees. Decreased ridership, economic decline and rising benefit costs have impeded the NFTA’s mission, according to Ortt, who said the revenue stream should prioritize the integrity of metro service.

NFTA Executive Director Kimberly Minkel echoed Ortt’s claim.

“The NFTA relies on dedicated New York state funding for transit in the same way the residents of Erie and Niagara counties rely on the NFTA every day to get to work, school or medical appointments. This bill recognizes the importance of protecting every dollar that is dedicated to support those services,” Minkel said.

The scrap metal bill, Ortt said, was meant to address the continued theft and public damage committed by perpetrators. The legislation states requirements that a supplier should meet in order for the debris to be processed to determine its source and the installment of surveillance video at scrap processing facilities.