

Amanda Wienckowski's mother finds reassurance, but no answers, in crime scene photos

buffalonews.com/news/local/amanda-wienckowski-s-mother-finds-reassurance-but-no-answers-in-crime-scene-photos/article_0596cf96-2a4e-53c6-be36-4000099a285b.html

By Melinda Miller

July 6, 2015



Leslie Brill, left, Amanda Wienckowski's mother, attends a special Common Council meeting about her daughter's death, held in City Hall on Jan. 29, 2013. (News file photo)



Amanda Wienckow-ski's death continues to pose questions.

By Melinda Miller

Leslie Brill Meserole was hoping to find answers last week when she finally received the police files on the investigation into the death of her daughter, Amanda L. Wienckowski, in 2009.

She did find some reassurance in the big box of paperwork: indications that officers were diligent in trying to find Amanda during the month she was missing and, once Amanda was found, in investigating how the young woman's body came to be discarded in a garbage tote behind a Buffalo church.

But Meserole's relief at getting the files after a five-year struggle evaporated quickly. Though a disc of photos was included in the box, it contained no crime scene images that included the victim's remains.

"They charged me \$100 for a disc with about 30 pictures of the back of a building and pictures of people, news media, setting up their cameras," Meserole said. "I don't want pictures of the media. I want my daughter."

Wienckowski was 20 years old when she disappeared early in December 2008. Five weeks later, her frozen, naked body was found head first in a trash tote near Spring and Clinton streets in Buffalo, not far from where she was last seen.

Following an autopsy, now-retired chief county medical examiner Dianne R. Vertes issued a finding that the young woman died of a drug overdose. The death was ruled accidental.

Nearly a year later, the family had Wienckowski's body exhumed and examined by a doctor they hired. That doctor said that, in her opinion, Wienckowski had died from manual strangulation.

Notified of the findings, the Erie County District Attorney's Office then hired another independent expert, Dr. Scott LaPoint, who looked at the case through medical reports and photos without examining the remains. In 2012, LaPoint concluded that, while there was evidence to support the possibility of an overdose and while photos taken at the time of the autopsy did not indicate "tell-tale" signs of strangulation, he felt the cause of death remained "undetermined."

Fueled by the pain of uncertainty and grief, Meserole has spent the years since then trying to obtain copies of every piece of evidence gathered and produced pertaining to her daughter's death. She said she has spent thousands of hours and thousands of dollars filing Freedom of Information requests but, until last week, has been rebuffed.

Her focus has been on three things: the police investigation; the medical examiner's reports and autopsy photos; and the arrest and incarceration records for Antoine L. Garner, the man she believes was the last to see her daughter and who, she thinks, may have killed Wienckowski.

Though her initial assessment of the police records was that police had at least complied with her request for all documents and photos in the investigation, she says now that it looks like many pictures are missing.

Meserole said papers indicate police photographers took pictures not only of the crime scene, but also during the search of Garner's home and even at the funeral home where her daughter was taken. She wants those pictures, but she won't look at them. She'll have someone do that for her, Meserole said.

Her reasons are both personal and practical. On July 13, a hearing is scheduled in City Court on her request for the incarceration records for Garner, who is serving an 18-year prison term on his convictions for the rape of a 16-year-old Buffalo girl in 2008 and 2009,

a June 2011 choking and assault case, and a July 2011 Buffalo home-invasion armed robbery. Garner has never been charged in connection with Wienckowski's death.

Meserole is considering filing a wrongful death suit against Garner. She has one year from when she was told that the Buffalo Police Department did not have an open investigation into her daughter's death to file the papers.

That was in April.

Meserole takes comfort in the progress, and in the passage by the New York State Legislature, of a bill that makes it a felony to dispose of a corpse without a burial or removal permit, or for seeking to conceal a corpse.

She said she hopes the law, which was sponsored by Sen. Robert Ort and Assemblyman Robin Schimminger and is awaiting Gov. Andrew M. Cuomo's signature, will make sure there are "no more Amandas."

Meanwhile, she is hoping for more records and photos to be released so she can decide what to do next.

"Right now, my whole life is in a box," she said.

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