



NEW YORK STATE SENATOR

Robert G. Ortt

Amanda Lynn's Law Passes in Senate and Assembly

ROBERT G. ORTT June 15, 2015

| ISSUE: **CRIME, MURDER OR HOMICIDE**

Bill Named for Amanda Lynn Wienckowski, Establishes Felony Crime of Concealment of a Corpse

Both the New York State Senate and the Assembly have now passed Amanda Lynn's Law, ending a five-year-long impasse between both houses of the Legislature. Senator Rob Ortt (R,C,I – North Tonawanda) sponsored the bill (S2957A) in the Senate while Robin Schimminger (D,C,I – Kenmore) took the measure up in the Assembly. The Assembly passed the bill this evening.

Amanda Lynn's Law strengthens penalties for unlawful disposal of a body by establishing the Class E felony crime of concealment of a corpse. Therefore, disposing a corpse without a burial or removal permit, in an attempt to cover up a crime, would be changed from a misdemeanor to a felony.

This legislation was named after 20-year-old Amanda Lynn Wienckowski, whose body was found in a Buffalo garbage tote in January of 2009.

"This bill has put the Senate and the Assembly in the middle of a stalemate for the past five years," said **Senator Ortt**. "Plain and simple, current law for concealing or moving a body doesn't go far enough. 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 today. I hope the governor can now do his part and sign this bill into law, so the Wienckowski family can receive some sort of closure and comfort in knowing that their unwearied efforts have made our state a safer place.”

Amendments to the original bill included changing the crime from a Class D to a Class E felony. The bill passed by both houses today would make it a Class E felony to conceal, alter or destroy a human corpse with the intent to prevent its production, use or discovery. A person would be guilty of this crime in cases where a body would be used as physical evidence in: (a) an official proceeding; (b) an autopsy as part of a criminal investigation; or (c) an examination by law enforcement personnel as part of a criminal investigation.

Assemblyman Schimminger said, “I am very pleased that Senator Ortt and I could come to an agreement that would be acceptable by our colleagues in both the Assembly and the Senate. 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. I urge the Governor to sign this legislation into law.”

Amanda’s mother has been pushing for stronger penalties for the crime since her daughter’s death.

“I’m so ecstatic this bill has finally passed in both houses,” said **Leslie Brill-Meserole**. “I can’t bring Amanda Lynn back, but I feel that her loss can save the next victim. Now that this is a felony and not just a misdemeanor, a person will have more to worry about and may think twice about moving or disposing a body. I pray to God that there aren’t any more Amanda’s after this legislation is signed into law.”

The bill will be sent to Governor for final approval. The act would take effect 60 days after it is signed into law.