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February 7, 2013

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Erie County Legislature  
Robert Graber, Clerk  
92 Franklin Street – 4<sup>th</sup> Floor  
Buffalo, NY 14202

Dear Mr. Graber:

At the Common Council meeting held on February 5, 2013, the following item was referred to the Erie County Legislature:

**"G. Burnstein-Decline of Invitation to Appear Before the Legislation Committee"**  
**(Item # 31 GCP February 5, 2013)**

We respectfully request that you review the enclosed item. Comments and/or responses to this item should be filed with the City Clerk, 1308 City Hall, Buffalo, New York 14202.

Thank you in advance for your timely attention to this matter.

*M. Jaskula*

Mark Jaskula  
Sr. Legislative Assistant

Enc.

65 Niagara Square - Room 1413  
Buffalo, New York 14202-3318  
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# COUNTY OF ERIE

**MARK C. POLONCARZ**  
COUNTY EXECUTIVE

**GALE R. BURSTEIN, MD, MPH**  
COMMISSIONER OF HEALTH

**Mark Jaskula**  
Sr. Legislative Assistant  
65 Niagara Square-Room 1413  
Buffalo NY, 14202-3318

Mr. Jaskula,

I am writing in response to your invitation to attend the January 29<sup>th</sup> meeting of the Committee on Legislation to discuss the death of Amanda Wienckowski.

The results and findings of any autopsy are confidential, and as such, it would be inappropriate for me or a member of my staff to discuss them at a public hearing. The family of the deceased can provide you with the report if they so choose. With regards to the findings of private pathologists, I cannot comment or speculate on their reports, as they are not employees of the Erie County Department of Health.

While the death of Amanda was a great tragedy, the Erie County Department of Health stands by the finds of the Medical Examiner's office. I wish the Wienckowski family all the best as they continue to mourn their daughter's passing.

Sincerely,

  
Gale Burstein, MD, MPH, FAAP  
Commissioner of Health

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