

Turkiewicz's "nasty and grizzly" act, was an act of compassion

By **Jim Herr** - September 13, 2017



An emotional Martin Turkiewicz appears in Cheektowaga Town Court on September 13th. (Jim Herr/Cheektowaga Chronicle)

CHEEKTOWAGA, N.Y. – Martin Turkiewicz made one phone call after being interviewed by Cheektowaga Police, it was to his son, Martin Jr., he said, "I think I killed your mother, she suffered enough."

Defense attorney Rodney Personius does not discount the violent act Mr. Turkiewicz's inflicted on his wife Saturday at the Garden Gate Health Care Facility. He is accused of repeatedly striking his wife's head and face with a claw hammer as a premeditated act to end her life.

"I think it's fair, to at least be open to the conclusion that what he did to his wife, as nasty and grizzly as it was, was an act of compassion," Mr. Personius told Cheektowaga Town Justice Paul Piotrowski at Mr. Turkiewicz's bail hearing Wednesday morning.

His attorney described him as a loving husband and father who has cared for both his wife, Rita Turkiewicz, 86, who has serious dementia and their 64-year-old son, Martin Jr. who has been legally blind since birth.

Defense attorney Rodney Personius and Martin Turkiewicz in Cheektowaga Town Court on September 13th. (Jim Herr/Cheektowaga Chronicle)

Mr. Turkiewicz's daughter, Diane Cline, addressed the court despite the assistant district attorney's objection.

"As my mom lost her sight with macular degeneration, increased limited mobility because of pain from her knee which no surgeon would replace, loss of overall strength and dementia causing an increased depression and less willingness to eat, get out of bed and participate in life; he was there to feed her, give her medicine, dress her, assist her to the toilet including wiping her, cleaning up her accidents," said Ms. Cline.

She told the court the Mr. Turkiewicz placed his wife's needs above his own medical needs and said years of stress took a toll on him.

"What my father is accused of is not the man he was," added Ms. Cline.

Justice Piotrowski set bail at \$10,000 cash or \$50,000 bond.

An out of state resident, Ms. Cline will remain in the Buffalo area and live with Mr. Turkiewicz and his son Martin Jr. as a condition of bail.

Martin Turkiewicz looks at his daughter Diane Cline as she addresses Justice Piotrowski in Cheektowaga Town Court on September 13th. (Jim Herr/Cheektowaga Chronicle)

"This case can be simple, or it can be complex. The prosecution talked about the weight of the evidence and probability of conviction is strong – that's speculative. We don't know the complexity, we don't know where this case is going, and we don't know the complexity of Mr. Turkiewicz's mind. Notwithstanding, all the mitigating factor we have learned about him and have been articulated today here in the court," said Justice Piotrowski.

The judge also issued a complete stay away order in favor of Ms. Turkiewicz. She is at Erie County Medical Center recovering from severe head injuries. A hospital spokesperson says she is listed in fair condition and was moved out of the intensive care unit.