



**ROBERT T. JOHNSON**  
 DISTRICT ATTORNEY, BRONX COUNTY

## **PRESS RELEASE**

# **RETIRED COP FACES UP TO 25 YEARS IN PRISON IN DEADLY DUI**

## *Jorge Hernaiz Indicted for Car Crash That Killed Father of 2*

(Bronx, NY – October 15, 2015) – Bronx District Attorney Robert Johnson announces the Supreme Court indictment of retired NYPD Officer JORGE HERNAIZ, accused of driving while intoxicated and striking 34-year-old pedestrian Marino Nunez during the overnight hours of May 31<sup>st</sup>, 2015, as his vehicle exited the Henry Hudson Parkway onto West 254<sup>th</sup> Street and Broadway in Riverdale.

Critically injured at the scene of the accident, Nunez, a father of two, died days later from his injuries.

The 44-year-old HERNAIZ, of Yonkers, NY, was arraigned in Bronx Supreme Court this morning and pled not guilty before Justice George Villegas. He is charged with:

**Aggravated Vehicular Homicide (Class B Felony)**  
**Vehicular Manslaughter in the 1<sup>st</sup> Degree (Class C Felony)**  
**Vehicular Manslaughter in the 2<sup>nd</sup> Degree (Class D Felony)**  
**Operating a Motor Vehicle While Under the Influence of Alcohol (2 counts; Unclassified Misdemeanor)**  
**Aggravated Driving While Intoxicated (Unclassified Misdemeanor)**  
**Reckless Driving (Unclassified Misdemeanor)**  
**Resisting Arrest (Class A Misdemeanor)**

If convicted on the top counts, HERNAIZ faces up to 25 years in prison.

It was approximately 3 o'clock on that Sunday morning in May when JORGE HERNAIZ was driving home, allegedly telling investigators he had spent a night shooting pool and drinking a bottle of vodka as well as a bottle of Colt 45. Further according to the Criminal Complaint, he admitted having exited the Southbound Henry Hudson Parkway at Broadway, and at the end of the ramp, where there is a stop sign, and hitting his victim. He is alleged to have told police, *"I felt that I hit something and I stopped my car."* Witnesses allegedly saw him trying to pull his victim's motionless body from beneath his car; they called 911.

HERNAIZ remained at the scene, where ambulances were called not only for his victim, but also for him. Once in an ambulance to be checked out after exhibiting what police believed to be signs of a panic attack, it is further alleged it took five officers to put the combative 6-foot, approximately 250-pound ex-cop into handcuffs.

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During arraignment this morning, Assistant District Attorney Newton Mendys of the Bronx D.A. Rackets Bureau also noted that the defendant's blood alcohol tests measured .25, more than three times the legal limit. Mendys also noted that a search of JORGE HERNAIZ' vehicle turned up a nearly empty 16-oz. vodka bottle.

HERNAIZ had been an officer in the 43<sup>rd</sup> Precinct for 14 years, and retired in 2008.

Justice Villegas increased the defendant's bail to \$350,000/\$350,000 and adjourned the case until January 26, 2016, Part 60, Bronx Supreme Court.

An indictment is merely an accusation, and all defendants are considered innocent until proven guilty.

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