



DARCEL D. CLARK
DISTRICT ATTORNEY, BRONX COUNTY

PRESS RELEASE



Hemphill [Department of Correction]; David Pacheco Jr. [courtesy family]

(L to R:

25-to-LIFE FOR 2006 EASTER SUNDAY TODDLER'S MURDER

(Bronx, NY – January 6, 2016) – Bronx District Attorney Darcel D. Clark announces the sentencing of DARRYL HEMPHILL to 25-years-to-life for the Easter Sunday 2006 shooting death of a toddler.

The 37-year-old HEMPHILL of Cary, North Carolina, was convicted last month of **one count of Murder in the 2nd Degree, Class A-1 felony**. The verdict came in following a 10-week-long trial before Bronx Supreme Court Justice Steven Barrett, during which a rare jury visit was made to the crime scene, and the jury deliberated for two full days.

HEMPHILL headed to the busy street corner of Harrison and West Tremont Avenues in Morris Heights where he'd earlier been on the losing end of a fistfight. He shot his gun multiple times at the people with whom he'd fought, but missed them. One of his bullets hit the minivan a mom was driving, and killed two-year-old toddler David Pacheco, Jr.

As HEMPHILL ran from the scene, the toddler's frantic mother screamed for help. An off-duty EMT heard her cries and jumped to their aid, performing CPR on the little boy and bundling mother and child into a taxicab to race to the hospital. En route, the child died in his mother's arms.

In court today, David Pacheco's mother, Joanne Sanabria, delivered an emotional victim impact statement, directly addressing her son's killer:

"A holiday so holy became the worst day of our lives. We were supposed to get ice cream and enjoy the day – but we never made it because you took that away from us..."



DARCEL D. CLARK
DISTRICT ATTORNEY, BRONX COUNTY

PRESS RELEASE

"I watched my son fight for his life and take his last breath in the back of a cab. I watched as Angel the Good Samaritan gave him CPR and as the nurses and doctors tried to save my life..."

"I wondered if you ever thought about what you did that day and if there was any remorse in you, but the few times I looked at you I saw nothing."

"While you were running I was picking out a casket for my son. While you and your family were safe in North Carolina I was burying my son and looking for a way to continue living without him."

An associate of HEMPHILL's was originally arrested and charged with the crime, but was cleared of the murder charges, although he later pled guilty to weapons charges for his role in the incident.

In sentencing DARRYL HEMPHILL, Justice Barrett noted the *"courageous act by the D.A.'s office in recognizing that they had it wrong [at first]. Here we have law enforcement and prosecutors dedicating themselves to the truth."*

The case against DARRYL HEMPHILL was prosecuted by Assistant District Attorneys Suzanne Carmody and Adam Oustatcher, the Director of DNA Prosecutions, following the work of the late Assistant D.A. Daniel McCarthy, the Bronx D.A. Detective Investigators, the Bronx D.A. Gangs/Major Case Bureau and Bureau Chief Edward Talty, the NYPD Bronx Homicide Task Force, and the 46th Precinct Detective Squad.

###