



DISTRICT ATTORNEY
KINGS COUNTY
350 JAY STREET
BROOKLYN, NY 11201-2908
(718) 250-2000
WWW.BROOKLYNDA.ORG

Kenneth P. Thompson
District Attorney

Office of Public Information
718-250-2300

FOR IMMEDIATE RELEASE

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**Two Drivers Indicted For Manslaughter And Other Charges
In Death of Passenger Following Alcohol-Fueled, High Speed Collision**
Rare Instance Where Two Drivers Are Charged With Killing Same Victim

Brooklyn District Attorney Ken Thompson today announced that two men have been named in a 26-count indictment in which they are charged with second-degree manslaughter and other charges stemming from an early morning collision on Eastern Parkway in Crown Heights that left a female passenger dead. It is the first time in Brooklyn that two drivers have been charged in the death of a single passenger.

District Attorney Thompson said, “These defendants – who are strangers to one another – tragically took the life of a young woman when they both made absolutely the wrong decision to drink and drive. We will now hold them accountable for their fatal conduct.”

The District Attorney identified the defendants as Richard Roman-Santos, 32, of East 19th Street, in Brooklyn and Gerrard Herbert, 32, of Park Place, in Brooklyn. The defendants were arraigned today in Brooklyn Supreme Court on a 26-count indictment in which they are variously charged with second-degree manslaughter, criminally negligent homicide, vehicular manslaughter, operating a motor vehicle under the influence, operating a motor vehicle while impaired, third-degree assault, reckless driving, second-degree reckless endangerment, third-degree aggravated unlicensed operation of a motor vehicle, and several other violations of the vehicle and traffic law. Roman-Santos’s bail was continued at \$35,000 bond or \$20,000 cash and Herbert’s bail was continued at \$30,000 bond or \$5,000 cash. They were ordered to surrender their passports. Their licenses were suspended and both defendants were ordered not to drive while out on bail and not to leave New York City. They were both ordered to return to court on December 17, 2014. If convicted of the top count, the defendants face up to 15 years in prison.

The District Attorney said that, according to the investigation, at approximately 4:15 a.m., on August 17, 2014, in the vicinity of Troy Avenue and Eastern Parkway, the defendant Roman-Santos was driving a Chevrolet Camaro westbound on Eastern Parkway, travelling at a rate of approximately 90 miles per hour. Meanwhile, defendant Herbert was driving a Nissan Altima eastbound on Eastern Parkway, and made a left turn onto Troy Avenue, in front of the Camaro.

The collision left the Nissan in two pieces, with the rear of the Nissan sheared off. The victim, Michelle Mignott, 32, who had been lying down on the back seat of the Nissan, was crushed and died on the way to the hospital. A second woman, age 33, who was seated in the front passenger seat, suffered burns and bruises. The Nissan’s driver, defendant Herbert, refused a breathalyzer test, but a warrant for his blood was obtained and his blood alcohol level tested at .07, seven hours later, putting it at approximately .18 to .20 at the time of the crash – more than twice the legal limit. The legal level for intoxication is .08. Defendant Roman-Santos, who was driving alone, registered a blood alcohol level of .08 at the scene.

The case is being prosecuted by Assistant District Attorney Gayle Dampf, Chief of the District Attorney’s Vehicular Crimes Bureau and Assistant District Attorney Robert Zweibel of the District Attorney’s Orange Zone Trial Bureau.

An indictment is an accusatory instrument and not proof of a defendant’s guilt.