

The Final Hearing for Domonic Whilby in the Death of William Pena is Coming Up. Please Sign Our Petition for the Maximum Possible Sentence.

THE JOYRIDING DRUNK DRIVER WHO KILLED bus operator William Pena was convicted March 31st of vehicular manslaughter and other charges in Manhattan Supreme Court. Domonic Whilby, 25, could be sentenced to at least eight years in prison - and as many as 25 years behind bars, ADA Randolph Clarke said.

Whilby stole an 18-ton delivery truck and careened down 7th Ave. on the early morning of Feb. 12, 2014. He slammed into Pena's M14 bus, killing Pena and injuring several passengers. During the trial, Whilby's defense attorney said he was too drunk to know what he was doing. Whilby became extremely intoxicated earlier at a VIP party that his famous uncle took him to at the IOAK club on W. 17th St., according to trial testimony. While the Supreme Court jury found Whilby guilty of manslaughter in the second degree and aggravated vehicular homicide, the panel acquitted him of other charges, including the most serious: depraved indifference murder.

Manhattan District Attorney Cyrus Vance had the following statement: "Because of Domonic Whilby's reckless decisions, a beloved family member and public servant is dead. This was a devastating and utterly preventable tragedy. My heart goes out to Mr. Pena's family, friends, and coworkers, as well as the four other pedestrians, passengers, and motorists who were injured that day."

Brother Pena's widow, Nancy Rodriguez, who has carried on a long and courageous campaign for justice for her husband



A tearful Nancy Rodriguez, with Local 100 VP Richard Davis, left, and Pena's brother, Alex, after verdict.

and who was hoping for a murder conviction, broke down in tears after the verdict was read. Responding to a question from a reporter from the New York Times about the message sent by the jury's failure to convict on counts involving criminal intent, she said: "I think it's horrible, the message that is being sent. An innocent man goes to work. What went wrong that day was that he got to work on time. He was doing his job and he gets killed."

"Our hearts go out again to William's family," TWU Local 100 President John Samuelson said. "This has been a terrible and long ordeal. I'm absolutely awed by their strength and perseverance. They worked tirelessly for more than three years to keep William's memory alive, and to keep this case in the public's view. They are union heroes. He would be proud."

Outside the courtroom, MABSTOA VP Richard Davis expressed the feelings of his fellow Bus Operators: "It's not a just verdict for the Bus Operators of New York City Transit," he said. "They come to work to make an honest living and go back home to their families safely. One was murdered. We did not get that top charge [depraved indifference murder] that we were looking for. That would have served justice. From our eyes, [Whilby's] intent was there, from signaling his left turn, to maintaining his distance as he drove, to making contact with the bus in a deliberate way. It's pure murder for us. We're very unhappy with the verdict."

Whilby has been in jail since the day of the incident, and will remain there until sentencing by Justice Gregory Carro.



William Pena with wife, Nancy, and daughter, Gabriella.

