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**FOR IMMEDIATE RELEASE**  
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**DELIVERY TRUCK DRIVER INDICTED FOR HIT-AND-RUN COLLISION THAT KILLED 16-YEAR-OLD PEDESTRIAN AND INJURED HER 8-YEAR-OLD SISTER**

*Driver Continued Making Deliveries*

Queens District Attorney Melinda Katz announced that Boubacar Barry was arraigned today on an indictment charging him with criminally negligent homicide in the death of 16-year-old Jael Zhinin who was struck by Barry's water delivery truck as she was crossing 46th Street in Sunnyside along with her younger sister, who was also hit and seriously injured. Barry allegedly continued making deliveries after striking the sisters.

Queens District Attorney Melinda Katz said: "No parent should ever have to endure the loss of a child and our thoughts are with the family of these young sisters. It is imperative that pedestrians be able to cross our streets safely and it is incumbent upon every driver to make sure the crosswalk is clear before turning."

Barry, 28, of Broome Street in Manhattan, was arraigned on an 11-count indictment charging him with two counts of leaving the scene of an incident without reporting, criminally negligent homicide, assault in the third degree, two counts of failure to yield, failure to yield the right of way when making a left turn, two counts of drivers to exercise due care and two counts of failure to exercise due care.

If convicted, Barry faces up to seven years in prison. Queens Supreme Court Justice Michael Hartofilis ordered him to return to court on September 19.

According to the charges:

- Video surveillance shows that on June 26, at approximately 3:25 p.m., Barry was driving a Ford truck with "Ready Refresh" branding on it westbound on 47<sup>th</sup> Avenue in Sunnyside before making a left turn onto 46<sup>th</sup> Street. He failed to yield to a yellow school bus that was approaching from the eastbound lane of 47<sup>th</sup> Avenue and, upon turning, narrowly avoided hitting a bicyclist.
- As he made the turn, Barry did not appear to be looking ahead of him, but rather at the rear driver's side of his truck.
- As he entered the intersection, Jael Zhinin, 16, and Leslie Zhinin, 8, stepped into the marked crosswalk – with the walk signal -- and began crossing 46<sup>th</sup> Street. When they approached the middle of the crosswalk they were hit by Barry's truck and thrown to the pavement.
- The truck then drove over the sisters and continued southbound without stopping.
- Video surveillance then shows Barry making a left turn off 46<sup>th</sup> Street and double parking his truck, getting out and speaking to someone. Barry began to unload water from his truck.
- Jael Zhinin sustained severe head and torso trauma and was pronounced dead at the scene. Leslie Zhinin was taken to the hospital in serious condition. She is receiving ongoing care.

Assistant District Attorney Brian Cox of the District Attorney's Vehicular Homicide Unit within the Homicide Bureau is prosecuting the case with the assistance of Assistant District Attorney Matthew Hauszpigel under the supervision of Assistant District Attorneys Jonathan Selkove, Vehicular Homicide Unit Chief, John Kosinski, Homicide Bureau Chief, and Karen Ross, Deputy Chief, under the overall supervision of Executive Assistant District Attorney of Major Crimes Shawn Clark.

*Criminal complaints and indictments are accusations. A defendant is presumed innocent until proven guilty.*

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