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QUEENS WOMAN CHARGED WITH MURDER AS A HATE CRIME
FOR SHOVING MAN TO HIS DEATH ON SUBWAY TRACKS

Defendant Faces Up To 25 Years To Life In Prison If Convicted

Queens District Attorney Richard A. Brown announced today that a 31-year-old Queens woman has been charged with second-degree murder as a hate crime for allegedly pushing a 46-year-old man to his death by shoving him into the path of a number 7 subway train as it headed into the 40th Street-Lowery Street station in Sunnyside, Queens, at approximately 8 p.m., on December 27, 2012.

District Attorney Brown said, “The defendant is accused of committing what is every subway commuter’s worst nightmare – being suddenly and senselessly pushed into the path of an oncoming train. The victim was allegedly shoved from behind and had no chance to defend himself. Beyond that, the hateful remarks allegedly made by the defendant and which precipitated the defendant’s actions can never be tolerated by a civilized society.”

The District Attorney identified the defendant as Erika Menendez, 31, of **9801 67th Avenue, Rego Park, Queens**. The defendant is presently awaiting arraignment in Queens Criminal Court on a criminal complaint charging her with second-degree murder as a hate crime. If convicted, she faces a maximum of 25 years to life in prison.

District Attorney Brown said that, according to the charges, Menendez was observed talking to herself while seated on a bench at the subway station and was also observed pacing on the platform and muttering to herself. The victim, Sunando Sen, 46, was observed on the subway platform as the train approached at which time Menendez allegedly pushed Mr. Sen from behind into the path of the oncoming train. Mr. Sen was struck by the train and died of multiple blunt force trauma.

It is further alleged that the defendant admitted pushing the victim and said in sum and substance “I pushed a Muslim off the train tracks because I hate Hindus and Muslims ever since 2001 when they put down the twin towers I’ve been beating them up.”

The investigation was conducted by the New York City Police Department’s 108th Precinct Detective Squad.

Assistant District Attorney Michelle L. Kaszuba, of the District Attorney’s Homicide Investigations Bureau, is prosecuting the case under the supervision of Assistant District Attorneys Peter T. Reese, Bureau Chief, and Peter J. McCormack III, Deputy Bureau Chief, and the overall supervision of Executive Assistant District Attorney for Major Crimes Charles A. Testagrossa and Deputy Executive Assistant District Attorney for Major Crimes Daniel A. Saunders.

It should be noted that a complaint is merely an accusation and that a defendant is presumed innocent until proven guilty.

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Note to Editors: E-version of this press release posted at www.queensda.org.