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## **Driver charged in fatal crash is jailed on probation violation**

### **Family of young jogger killed in January is glad woman is finally behind bars**

By Andrew L. Wang

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For months, relatives of Alonzo de la Torre have pleaded for jail time in the case against the driver who fatally struck him as he jogged along a Round Lake Beach road in January.

On Wednesday, driver Desiree Britt was ordered to jail for 120 days, though not for a felony conviction, as family members had hoped.

Instead, a Lake County judge found that misdemeanor charges related to the incident—plus an apparent positive drug test just before the hearing—violated the terms of her probation in another case.

"At least right now she's locked up," said Aydre Carrillo, de la Torre's aunt. "We know if we're walking home or crossing the street, she can't hit us."

Prosecutors have charged Britt, 22, with possession of drug paraphernalia, child endangerment, possession of marijuana and driving under the influence in the collision that killed de la Torre, 17, on Jan. 24.

Based on those charges, none of which are felonies, prosecutors on Wednesday morning filed a petition to revoke Britt's probation from a 2005 misdemeanor battery case. When she pleaded guilty in that case, Britt was sentenced to 120 days in the county jail, but that was stayed as long as she complied with the terms of her probation, which included no contact with illegal drugs.

Circuit Judge John Phillips lifted the stay and ordered her to serve out her jail sentence. He also ordered her held in lieu of \$25,000 bail after the term is completed.

Phillips said he considered the criminal charges related to striking de la Torre and a separate misdemeanor

domestic battery charge filed against her in February. He also considered that she had not fulfilled the public service requirements of her 2005 battery conviction, and that she tested positive for marijuana twice since Jan. 24—on Feb. 27 and Wednesday morning.

The ruling was only a partial victory for de la Torre's family, which has publicly protested that Britt was allowed to go free after the collision and pressed for more serious charges, even contacting the Mexican consulate in Chicago for support.

The family has filed a wrongful-death lawsuit against Britt.

The state's attorney's office considered charging Britt with reckless homicide but said the evidence didn't support it.

"In order to have reckless homicide you have to prove impairment," said Assistant State's Atty. Suzanne Willett. Though there were traces of marijuana in Britt's system on Jan. 24, "there wasn't enough in her system to prove that she was impaired."

Britt of the first block of Juniper Avenue in Grayslake cried through the hearing, which also was attended by about 30 friends and relatives of de la Torre who packed the courtroom's gallery. Some wore black T-shirts with the image of a mop-topped de la Torre as a boy on the back, along with his nickname, "Pelon."

De la Torre was running with two friends along Hainesville Road in Round Lake Beach when the car hit him. He died two days later. He was a student at Grayslake North High School and was jogging to stay in shape for soccer, relatives said.

Britt's Lake County driving record includes 15 minor traffic violations since 2002 that include speeding, driving without insurance and disregarding traffic signals.

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