

## Office of the Kane County State's Attorney



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### **AURORA MAN GETS 13 YEARS FOR DRUG & ALCOHOL FUELED CRASH THAT KILLED 9-YEAR-OLD GIRL, INJURED 2 OTHER CHILDREN IN '16 CAR TRAVELING AT LEAST 75 MPH IN DOWNTOWN AURORA**

March 29, 2018

Aurora resident **Anthony S. Potochney** has been sentenced to prison for a 2016 drunken driving crash that killed 9-year-old Katie Jonak of Aurora.

Associate Judge Linda S. Abrahamson today sentenced the 26-year-old Potochney to 13 years' imprisonment in the Illinois Department of Corrections.

Potochney on Oct. 27, 2017, pleaded guilty to three counts of aggravated DUI – one Class 2 felony and two Class 4 felonies – and failure to stop after an accident involving personal injury or death, Class 4 felony.

Kane County First Assistant State's Attorney Jody Gleason and Kane County Assistant State's Attorney Christine Bayer stated in court that after 9 p.m. October 7, 2016, Katie Jonak was riding in a left side rear passenger seat of a minivan driven by her mother. Two other children were passengers in the vehicle. The girls were on their way home from play rehearsal. At approximately 9:12 p.m., the minivan was northbound on Broadway Street (Route 25) south of Pierce Street, when the 2003 Cadillac Deville that Potochney was driving on southbound Broadway crossed into the northbound lane. Katie's mother swerved to avoid the Cadillac, but Potochney struck the left side of the minivan. When his vehicle came to a stop, Potochney fled the scene on foot. Katie was unresponsive when medics arrived. She was pronounced deceased a short time later at the hospital. One of the children was hospitalized for a bruised lung and other injuries. The other child was hospitalized with a broken bone. Potochney was taken into custody a short time later by Aurora police, who noted the odors of alcohol and marijuana on him.

The investigation determined that Potochney's Cadillac was traveling at least 75 mph in a 35 mph zone a moment before impact. Potochney's blood was drawn 4½ hours later at the hospital. It revealed a blood-alcohol concentration of .193, as well as the presence of tetrahydrocannabinol (THC) metabolite. Potochney admitted to police that he had consumed 6 Coors Lights, 4 Captain Morgans and smoked marijuana the evening of the crash.

The sentence is 10 years for the Class 2 aggravated DUI, 2 years for the Class 4 aggravated DUIs and 1 year for the failure to stop offense. The terms are to be served consecutive to one another.

According to Illinois law, Potochney must serve at least 85 percent of the aggravated DUI sentences and is eligible for day-for-day credit on the failure to stop sentence. He receives credit for 539 days served in the Kane County jail.

Kane County State's Attorney Joe McMahon said:

"I cannot emphasize enough that Katie's death, along with the injuries to the other girls in the minivan, were absolutely preventable. Mr. Potochney had been through treatment court, where he was given the tools and resources necessary to address his substance abuse issues. Yet a few months later he was drunk and high when he chose to speed recklessly through downtown Aurora, showing no regard for others and ultimately killing a young child.

"This horrible crash is one of our worst nightmares, a catastrophic life-changing moment. Katie was killed by a self-centered individual who was both drunk and high. He was given a chance to live right, but he instead drank excessively, did drugs and drove recklessly. Then he ran like a coward from the crash he caused.

"No sentence will erase the pain and anguish of young Katie's family, nor the ongoing suffering of her family, friends and the other victims Jessica and Elizabeth, who were both seriously hurt in this crash. This defendant deserved a lengthy prison sentence for his crimes, and this sentence holds him accountable for his egregiously irresponsible choices. Mr. Potochney will have a long time to sit in his prison cell to think about what he could have done differently to prevent the tragic end to a child's life."

**Anthony S. Potochney:** Age 26 (d.o.b. 7-26-1991), of the 900 block of North Avenue, Aurora