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Legislators promise tougher driving laws

Suspect in Danville hit-and-run had numerous license suspensions

By Malaika Fraley, STAFF WRITER

SAN MATEO -- State Sen. Jackie Speier wept Thursday as the parents of two small children quietly described how a hit-and-run driver mowed the children down Oct. 26, leaving them dead or dying in their parents' arms.

Speier, whose own husband died in a similar way, immediately promised to help lead a legislative crusade to keep chronically bad drivers off the roads.

"I was profoundly touched by them and think they are a very remarkable couple," said Speier, D-Hillsborough, after meeting with Bob and Carmen Pack of Danville.

'I was moved to tears'

"It's only been a month since they lost their two and only children, and they're trying to make sure that their lives weren't lost in vain, and so others won't share the same tragic experience," Speier said. "I was moved to tears several times when I was talking to them."

She pledged to help memorialize the children by working with Sen. Tom Torlakson, D-Antioch, to co-author a package of bills in February that would crack down on people guilty of multiple serious driving violations.

The Packs had been walking with their children, Troy, 10, and Alana, 7, on a sidewalk when the speeding driver -- who has nine license suspensions, two drunken-driving convictions and a history of drug and alcohol abuse -- plowed into them, court records said.

Alana already was dead when her father cradled her body. Then Bob Pack went to Troy's aid and breathed into him until he died. Meanwhile, Carmen Pack hobbled to the errant car and snatched the keys from the ignition.

Suspected hit-and-run driver Jimena Barreto, 45, of Walnut Creek then fled in the car of a passing motorist. Barreto -- a high-priced nanny specializing in newborns and multiple births who once worked for local TV newswomen Kate Kelly and Emerald Yeh -- was arrested days later in San Jose, ending a two-day, statewide manhunt.

The Torlakson legislative package includes a bill that would require nannies and other childcare givers to provide their driving records to potential employers. Other bills, which are still being drafted, deal with higher accountability for repeat drunken drivers and more

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enforcement for drivers with suspended licenses. Mothers Against Drunk Drivers is reviewing the legislation and is likely to promote it, the Packs said.

"I think it will be an important package of bills, and I want to help Sen. Torlakson any way I can," said Speier, who in the mid-'90s carried Courtney's Law, which made "a strike" out of prior DUI convictions and stemmed from a fatal accident similar to the Pack tragedy.

In 1994, while Speier was two months pregnant, her first husband, Dr. Steven Sierra, was killed in a crosswalk by a motorist who ran a red light.

New foundation

In addition to encouraging the legislation, the grieving Pack parents have established the Troy and Alana Foundation (see www.troyandalana.org in support of increased traffic-safety improvements in communities.

They are further lobbying the Contra Costa County District Attorney's Office to increase to second-degree murder the charges against Barreto, who has been charged with vehicular manslaughter, cocaine possession, driving on a suspended license, and hit and run.

The Packs said Barreto's documented history of drug and alcohol abuse and prior alcohol arrests, combined with witness statements that she was intoxicated, warrants a higher charge.

"The woman who killed our children was able to con her way into caring for children, and live a double life," Bob Pack said. "This crusade we're on is not about revenge -- no one can bring our children back.

"It's about seeing that justice is served, families are protected, and sending a message of deterrent to other drivers who violate the law and put people at risk."

To make a donation to the Troy and Alana Pack Foundation, send a check to the foundation office at 200 Frank H. Ogawa Plaza, Oakland 94612 or obtain more information at www.troyandalana.org.

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