

Kendra



Kendra Chiota Payne
11 May 1984 – 11 January 2006

Always an energetic, irrepressible spirit, Kendra lived her 21 years to the full. Her parents Pat and Rick were devastated by the sudden loss of their only child in a tragic road accident, but they have found a way to live their lives with meaning and to carry their daughter's values forward through two charitable foundations.

Written by Sonya Szpojnarowicz, from an interview with Kendra's mother, Pat Chiota

Kendra was born in Hong Kong, a much-loved baby who transformed Rick and Pat's life as a couple to a family. By the age of five, Kendra had lived in four cities on three continents, having moved to San Francisco, then to Melbourne, and from there to start a new life in Singapore. She enjoyed two years of school at Dover Court, then joined the Singapore American School (SAS) which was the main backdrop of her life until she was 18. She grew into a very sporty, athletic girl. She loved swimming with the "Fighting Fish" and later on, the SAS swim team; played softball at SACAC; practised gymnastics (at Prime Gym); ran the hurdles for the SAS track and field team, and became a scuba dive master. Pat says fondly, "Sitting still in class was hard for her... She was a real 'do-er'!" As well as a healthy lifestyle, the world of sports taught her team spirit, self-discipline, the value of friendship, and a love of healthy competition. She was fond of telling her best friend and teammate, "You're my best friend—I always hope you come in second!"

The love of travel also marked and shaped Kendra's life. This family of three enjoyed many family holiday adventures around Asia, and indeed around the world. Kendra

had been to more than 30 countries by the age of 21. She loved to see and learn about everything. In Pat's words, "She was very globally-minded, even as a child". While in middle school, She participated in several church-sponsored community volunteer trips to the Philippines and Malaysia. Her dream was to join the Peace Corps after graduation. Pat still wonders today whether she had some kind of intuition that her life would be short, as she packed so much into her young life, getting involved in all the school and church outreach trips as well as family holidays.

When she completed her high school studies at SAS, she moved with her parents back to San Francisco. In the fall of 2002, she began her university studies at the University of California in Santa Barbara (UCSB), where she discovered a love of marine biology. She always kept up her sports, and became very keen on running. In fact, she inspired her dad to take up running; at the age of 46, Rick started running marathons in an attempt to keep up with his energetic young daughter! Kendra spent a semester overseas at James Cook University in Queensland, Australia, and ran in the Gold Coast Marathon and the Australian Collegiate Triathlon Championship.

The family's last Christmas holiday together was a magical time. They came back to Asia and enjoyed three weeks of travel in Thailand, Myanmar and Japan, where Kendra experienced the wonder of snow and the fun of snowballs! Then they flew back to San Francisco, and two days later she got a ride back down to school with a friend. She was so eager to get back for her best friend's birthday, to give her friends the gifts she had bought on holiday in Asia, and to re-join the triathlon team, which had already begun training practice a few weeks before. She had said she was a bit nervous about "not being able to keep up with her teammates" and was looking forward to getting back on course and training with everybody again.

That was the last time her parents saw her alive. Three days later, on 11 January 2006, Pat came home from a yoga class to find Rick sitting numbly on the sofa in the middle of the day. All he could say was, "Kendra died." Pat's heart and voice screamed out—"It's not true, it can't be possible..."

The accident

Kendra had been with her team on a five-hour-long training practice, biking up a narrow and winding road in the steep hills of Santa Barbara. Her tyre had blown on the way there, so she and her friend Liz were late joining the group. They were supposed to be in groups of four, but Liz and Kendra were behind the others and were trying to catch up. They were nearing the top of the steep hill, and Kendra felt she was slowing Liz down. "Go on ahead, don't wait for me, I'll be there soon", Kendra told Liz. There were repair works being carried out further up the road and big trucks carrying asphalt were trundling up and down. The road wasn't closed but there were warning signs. The road was very narrow, and in one part there were sandbag barriers on the open side of the road where the pavement had been washed away due to frequent landslides in the rain. The road had been on the council's books to be repaired for several years, but there had never been enough money to get it done. Kendra was at the part of the road where it narrowed down to only one lane when a truck came by...

Kendra's teammates were waiting at the top, but she never appeared. Eventually three of them went down to find her. They saw a big truck splayed out across the narrow road, the driver hysterical, and saw Kendra on the ground.

The driver said that he saw her going uphill slowly and thought that he could pass her—even though the road was very narrow and winding there. The truck had a trailing buggy carrying asphalt that had swung in, and she was squeezed between the last pair of huge wheels and a steep cliff abutting the jagged edge of the road. Kendra's bike hit a pothole on the uneven road surface and she was pitched forward into the oncoming wheels of the truck which then ran over her. The driver didn't even realise what had happened until his father, following in another truck behind him, phoned him to say, "You ran over the lady biker..."

Liz, and two older graduate students, Shane and Mike, who were part of the tri-team group, went back down the hill to look for Kendra because she still had not made it to the top of the hill. They found her sprawled in the middle of the road with the driver frantically trying to call emergency. Liz stayed by Kendra's side while they waited for the paramedics. At first she was able to answer Liz when Liz spoke to her. After that, she lost consciousness. A helicopter arrived to take her to hospital after a long delay, as the area was quite inaccessible.

Rick received a call while he was at a coffee shop—"You'd better come quickly, Kendra's been hurt." He rushed to the San Francisco airport to fly to Santa Barbara. But before he boarded the plane, he got a second call from the doctor, telling him the dreadful news that Kendra had died on the way to surgery. He cried out in pain and people stared, wondering what was wrong. All this time, Pat had been out, completely unaware, as she not been checking her phone.

Later that day, they flew together to Santa Barbara to face the awful task of claiming her body. After waiting two more days for the autopsy to be completed, her body was released for claiming to the mortuary. "Don't move the sheets," they were told, as she had had an autopsy and her body was damaged. But Pat sighs gently as she tells how beautiful her daughter's face was even in death.

The Celebration of Life

Pat and Rick were touched by the outpouring of support from Kendra's and their own, family and friends. They wanted to give them all an opportunity to support each other and share in Kendra's memory. Working with UCSB, they organised a Celebration of Life for Kendra that was held on the UCSB campus just two weeks after Kendra's death.

Rick and Pat had thought about doing different services elsewhere, but felt in the end that this special and beautiful day was enough. The service was held on the UCSB campus on a sunny, breezy day. Over 200 people attended. Kendra's friends from Singapore came from around the world, as they had dispersed to attend colleges across the US and UK. As guests arrived, they wrote messages to her on small slips of colourful paper that they tied onto a tree branch. Rick's sister Eleanor conducted the ceremony and her husband, Jeff, played background music on an electric keyboard. Many of Kendra's friends and family shared memories and stories about Kendra. Rick

made a beautiful slideshow of family pictures and so had Kendra's young friends. There was a memorabilia table with some of Kendra's favourite things from her travels.

Pat remembers that, "So many people were touched by the accident and its aftermath that we wanted to do more to channel their support in a positive direction." It was an SAS parent who suggested to Pat and Rick that they set up a memorial fund in her name. It seemed timely to do this and to announce it at the Celebration of Life event.

The Memorial Fund felt like the best way to carry Kendra's values forward. The first award created was to honour her passion for team Sports and how they help women develop confidence, character, leadership skills, and strong friendships. At the time of her death, Kendra was in the process of applying to join the Peace Corps, hoping for an assignment in either Asia or Africa. In view of this, they established a second award focused on Global Studies. This award helps fund overseas internship experiences at non-profit organisations in Asia or Africa, particularly those focused on bettering the lives of women and children through educational and economic opportunities (http://rickpayne.net/Kendra/Memorial_Fund.html).

In the six years since its inception, each year UCSB Sports Internship Award winners work with disadvantaged girls at a local Santa Barbara elementary school to introduce them to sports and encourage them to become leaders and cooperative teammates. The Global Studies Awards to date have supported internships for UCSB students to work with women and children in Taiwan, Rwanda, Chad, Cambodia and Indonesia.

The case

The local press was full of the story. Apparently, the driver had been on probation, having had several felonies and brushes with the law. Pat felt a huge anger and rage towards him—he'd been on that road before—he knew that the road again widened to two lanes further up and he only had to wait a little longer to safely pass Kendra on her bike. He had earned the required special class license to drive this huge truck, so surely he knew how much it would swing in when going around sharp curves. Pat felt that everything had come together in a 'perfect storm'—the circumstances had been one in a million—but still it had happened. His lack of judgment and impatience at that moment led to the death of their only child.

The driver was given a light sentence of three months that consisted of community service while on probation. He also got to keep his driver's license as it was his only means to keep a job. Through court and police reports, Pat and Rick learned a lot about him—he had a history of domestic violence, had been arrested previously for a drug-related robbery attempt while armed with a knife. Pat felt strongly that the county court needed to require him to take mandatory anger management courses, but they said the court could not force him to participate in such classes. Although they knew that there was no way to change or make up for what had happened, Kendra's parents decided they could not "go gentle into that good night" (Dylan Thomas) and just leave things as they were; they decided to bring a civil suit—as one way of saying, "This is unacceptable."

It took four years for their wrongful death suit to finally come to court in Santa

Barbara in January 2010. By now, Pat felt that she was in a completely different place. She says they always thought that the case would just settle, without any need for them to face a courtroom...But the case turned out to be more complicated than they had realised—there were four different parties all arguing over who was responsible for the accident. The case was scheduled to take six weeks with graphic descriptions of the accident. Rick and Pat swallowed hard and walked bravely into the courtroom, where there were 60 boxes of legal documents and evidence—and Kendra's bicycle.

“And who did I end up sitting next to on that first day in court,” says Pat, “but the driver... I don't know if he yet realised that we were her parents, but here I was, sitting side-by-side with the driver and his father in the back of the courtroom, waiting for the proceedings to begin.”

The trial seemed to take forever to get started. The selection of the jury took several days, as the opposing lawyers kept finding objections to jury members. Some potential jury members were rejected because they were parents, others because they were cyclists, and others because they had a connection to UCSB.

As the start of the trial drew near, Pat and Rick became increasingly anxious. They knew that they were going to be asked to leave the room a number of times as there were going to be graphic re-enactments of the accident. They were told that the defendant's lawyers were going to argue that it was not the driver's fault—that Kendra had hit a pothole and so fallen into the path of the truck. Pat says, “No doubt there was a pothole—there were many—but on that narrow bit of road there was nowhere else for her to go, and he knew that as he drove that huge truck up there...” He had driven along the very same route the day before.

As completion of the jury selection process that Friday had taken much longer than expected, the judge decided to adjourn and begin witness testimonies on the following Monday. Pat knew that Liz, Shane and Mike would be the first witnesses called upon to testify and was concerned for them. She was worried that it was all going to be too painful for them, for Kendra's other friends, and for herself and Rick. They knew that the various teams of lawyers would try to trip them up in their replies, in the course of arguing over who was ultimately responsible.

On that Monday, 11 January, opening arguments were presented by the lawyers in the morning. Over the lunch break, out in the beautiful gardens outside the courtroom, their lawyer told them that the driver wanted to speak to them later. “I really wasn't looking forward to this,” Pat recalls, “but I would never say no...” After lunch, the start of the first witness's testimony was delayed again. We were told that the judge had spent the lunch recess urging the defence lawyers and their clients to stop arguing, come to a reasonable agreement, and settle the case. After lunch, he sequestered the defence lawyers in his office and continued the mediation process. Pat smiles, “I truly believe Kendra knew we weren't going to last the six long weeks of this, and that she made it happen...” We settled this case on that Monday, 11 January, exactly four years to the day of her accident and death.

They left the courtroom, knowing that the driver was going to approach them. Pat felt that this was momentous—“I have only one shot at this. What is it that I'm going

to say to this guy that has some meaning, and somehow shakes him up and gets him to realise what he has done?" She knew she had to think through what she wanted to say to him.

He apologised. He cried. He hugged Pat and wouldn't let go. Kendra's three teammates and some lawyers were nearby and saw their encounter. Pat asked him, "Have you turned around your life? If you have truly turned around your life, Kendra will be your guardian angel and strongest supporter in doing so." He told her he had three young daughters—Pat hadn't known this before. She told him, "You are a lucky man and blessed to have three daughters, you must take good care of them."

She says, "I think he was so relieved to speak to us. We didn't scream or attack him. But I didn't want him to feel hopeless or that his life was beyond reclaiming. I wanted him to see this as life's most dramatic "wake up call" and turn around his life. This was our one and only shot to speak to him, and it was very important to me. I do believe in my heart that he has turned his life around, and in so doing, that Kendra watches over him."

Their lawyer was moved, and told Pat and Rick that in all his years of handling wrongful death suits, he had never seen anything quite like this. "You didn't need the apology as much as he did," he told them.

It was a very healing moment for Pat and Rick. "For us to feel better, we just had to let the anger go," says Pat. "We couldn't move forward in our lives, while we were so taken up with anger and thoughts of revenge. Instead, we started to think, 'What good can possibly come out of this catastrophic disaster?'"

Moving forward

"The Celebration of Life, the Memorial Fund, their court case experience, and staying in touch with Kendra's friends—these are the things that help us go forward," says Pat. "We think of Kendra every day. I talk to her in my heart every day. Rick thinks of her especially when he runs, and feels very close to her. There are days when I can't believe it's true—it feels like it must be a story, someone else's story—but it IS true. The loss goes on and on. In some ways it gets better, and in some ways it gets worse. My feelings can change many times in one day. Sometimes we talk about it together—and sometimes not. I'm so grateful for my marriage to Rick—we've been married for 35 years. I don't know how I would have gone forward alone..."

They are still in touch with many of Kendra's friends. "I wouldn't miss out on this—I love it," says Pat, "but it's hard. I'm not going to say that it's all pure joy to see them... it's complicated. Rick still runs at Kendra's Race each year at UCSB with Shane and Mike. These friendships mean the world to us and enable us to still have young people in our lives."

Another thing that helped Pat in the early years (and continues to do so now) was the Buddhist perspective on life and impermanence, which she learned about while training to become a Zen Hospice volunteer in late 2005. She says, "Little did I know at the time, that the Zen Hospice training in the end was really for me...those precious insights saved my life." She talks of how she feels that she lives moment to moment—

and that it is what we do now to move forward that really matters. “If Kendra were standing here now, she would have said, ‘Pull your socks up!’—that’s very motivating” says Pat. “I feel that we have to make every moment that we have left count—because Kendra so loved life.”

Connections that keep Kendra’s memory alive and active mean a lot to Pat and Rick. In addition to the annual triathlon race called “Kendra’s Race”, that is held every March on campus in Santa Barbara, the Singapore American School holds a biathlon every year in Kendra’s name, and the coach there still remembers her. When a friend of Kendra’s got married recently, she and her fiancé chose to donate a portion of their wedding gift money to Kendra’s foundation. She printed up cards about Kendra’s Foundation and placed them on each table at her wedding reception. She told all present that Kendra would have been a bridesmaid and spoke about Kendra’s impact on her life and the foundation. Prior to her wedding, over a quiet lunch, Pat gave her a pendant that Kendra had loved. “These few things that she loved and wore every day are very precious to me. Who else can I give them to but people who really cared about Kendra?”

Pat and Rick were also very moved by a story Kendra’s friend Sarah told them about an experience she had while running one day, not long ago in San Francisco’s Golden Gate Park. While running, she was listening to a song that Kendra liked on her earphones. She felt too tired to go on with her run and said she was about to give up, when she felt a strong force literally pushing her from behind...She told us that she was certain that it was Kendra giving her a boost and that she began running with renewed vigour. Pat recounts, “She said it was such a strong force, like the wind on her back...except that there was no breeze that day.” “These are the things we hold on to—the spontaneous and unexpected stories from Kendra’s friends that continue to occur. I like to think that Kendra is still very engaged in this world in spirit form. Of course, this is self-serving and gives me great comfort, but I do really believe it.”

Rick and Pat continue to struggle with the loss of their only child. “With an only child, it’s all or nothing...and we’re still coming to grips with that,” sighs Pat. “But we’re doing well. I mean—we’re still standing, and so grateful to be alive and “still in the ball game.”

