

BEYOND THE LEGAL LIMIT

SURVIVING A COLLISION
WITH A DRUNK DRIVER

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FOREWORD

Everything you are about to read happened to me and to my daughter. We were victims of a crime, we survived the event, we lived through one of the worst event anyone can imagine and we discovered no one is immune to tragedy. You never think something so bad as being in a head-on car crash can happen to you. These things always happen to someone else. But that is not reality. Anything can happen to anyone. We do not have control. We are dealt a hand face down. When we turn the cards over it is a fifty-fifty chance in our favour.

But what if no one became inebriated to the point of blacking out and got in their car and drove? That could happen. What if the system, that we as a society created to support and defend victims, always lifted up those who grieved? It is possible. But it rarely works out that way. There are hurdles to jump, denials to shock us, bureaucratic loopholes to maneuver. The rules are not designed to relieve stress and grief quickly enough for those of us desperate to recover from trauma and get our lives back. But if we talk about it, tell our stories, we can make a difference.

The book you are about to read is my truth. Some of it may be my opinion but it happened to me. I experienced it all. I don't know what the offender in our case went through, how she felt, or why she did what she did that day. I can only tell you what I heard and saw in the courtroom the day we came face to face. I know what I know, and I have recorded it here so the reader can feel my pain and my joy. I was not sure I wanted to share the minute details of this story, but how could I not? You must go deep to make your point, or why would anyone care?

PROLOGUE

A warm sunny Sunday afternoon. My nineteen-year-old daughter and I drive from Calgary, Alberta, to our home in Nelson, British Columbia. It is an eight-hour drive through the visually spectacular Rockies and Banff National Park, past Radium and Fairmont Hot Springs, through several small rural areas like Skookumchuck and Wasa.

Four hours into our trip home, a Ford Escape SUV hits us head-on. The front end of my Toyota Corolla is gone. The engine is on our laps.

At least that is what I am told.

When I awake from the long coma, I have no voice, or memory of why I am here. I try to speak, to ask why I am in a hospital room, but the verbal sound doesn't exist for me. Where did my voice go? Why can't I move? My head is fuzzy. I notice machines buzzing next to my numb body. Everything is so loud. Are those nurses, or maybe doctors, running around the room? I see my husband's face in front of me. Larry is so close I can feel his breath and the warmth from his skin. He is saying something to me. I can't understand.

Then I remember. I was in our car with Maia, driving home from Calgary.

Maia, I think. Where is Maia?

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I woke up early Sunday morning on my niece Tiffany's living room sofa, where I had slept the last three nights. At fifty-four, I was thinking I was getting too old to be sleeping on couches. Tiffany lives in Calgary. Her mother—my sister Jeannie—was visiting from Nova Scotia with her husband, Harry. I smiled, recalling all the laughs we had shared over the past few days.

I lay there daydreaming, my thoughts turning to the long drive back to Nelson with my daughter later that day. I could see the sun peeking through the slit in the curtains. It was still early morning, but the sun was already bright. I had checked the weather on my iPhone the night before, happy to discover it would be a warm and cloudless day.

Maia and I had arrived in Calgary on Thursday from our home in British Columbia. She was staying with her boyfriend on campus at the university they both attended. I had met him for the first time the night before at dinner. He had an easy manner, goofing around with Maia on the couch, making her smile. I liked him right away.

Within minutes of waking up, I could hear people shuffling about upstairs. There was a houseful of family staying at Tiffany's that weekend. I was over the moon visiting with them; I missed my siblings and their kids a lot.

Breakfast was a flurry of activity, and to add to the merriment, Jeannie's oldest daughter, Vanessa, and her one-year-old son Lincoln, joined us. His big blue eyes and blond hair, inherited from his mother, reminded me of my son, Liam, at that age. There was so much laughter and loud voices—typical of the Henman family—as

we prepared a feast of bacon and eggs, the smell of coffee rising from our mugs.

After our meal, I asked Jeannie if she would return with me to an import store we had checked out the day before while shopping for Tiffany's wedding dress. There was a footstool I wanted to buy before I left for home.

We arrived at the cramped shop full of brass trinkets, colourful pillows and blankets, lamps, and a mixed array of furniture. I went straight to the back corner where the ottoman had been the day before. The red faux leather box was still there. I touched it, admiring the texture, then popped the lid off, thrilled to discover I could stash magazines and books. The cashier got me a new one from the back, still in its box. I carried it out to the car, depositing it into the trunk.

I drove Jeannie back to Tiffany's, retrieved my luggage and carried it out to the car, preparing to leave and pick up Maia. Upon opening the trunk, an ugly multi-legged brown beetle around two inches long crawled out of the footstool box. I froze, wondering what to do. I couldn't put my clothes in there, and I wasn't going to drive home knowing this cockroach-looking creature was free to roam my car.

Leaving my suitcase in the parking lot, I ran back to Tiffany's to ask for help. Jeannie and Tiffany came out with me, laughing at my fear of bugs. Their smiles turned to wide-mouthed astonishment when they saw it.

"Please kill it; I can't," I said, looking at both of the ladies who were bending over, staring into my trunk at the foreign insect. Tiffany ran back to her house, retrieved a hammer, and returned to do the job.

I was sad to leave everyone that Sunday afternoon, but after many hugs and goodbyes, I reluctantly left for the university residence where Maia was waiting for me.

We decided that this dazzling day provided the perfect opportunity to stop at the Banff Centre for Arts and Creativity. I had always wanted to take a course in theatre directing there, or enroll

in a residency for creative writing, but the opportunity never arose. At least, stopping for a stroll, I could experience the visual beauty I had heard so much about, in hopes that I would still study or create something there in the future.

After our walk through the centre's grounds, it was time to grab a bite to eat, knowing we wouldn't find a decent place again until the Fairmont Hot Springs.

Banff, Alberta, is gorgeous but busy in June. We drove up and down the streets, me driving, Maia looking for an empty parking spot, but could not find a single one close to downtown. Everywhere we looked, there were cars and people. *If it is this busy in June, July and August must be insane*, I thought. Finally, at the edge of town, Maia spotted one, so we quickly pulled in before someone else did.

We didn't stop to look in shops; we were on a mission for food. We headed for the main street. The first restaurant we came to was closed. Strange for a sunny Sunday afternoon in a tourist town. The second was packed. The next was in a hotel and too high-end; we were running out of choices. We only wanted a quick bite and then to get back on the road. In the distance, about two blocks further, we could see the golden arches.

We turned to each other, a sigh of resignation echoing between us, and after exchanging a few unflattering comments about what the meal could do to us, we agreed McDonald's was the most convenient place.

Within thirty minutes, we were gliding west along the same highway we had travelled three days earlier going east, once again admiring the view. The bears and the deer were plentiful. Mamma grizzlies with their cubs hung close to the highway, munching on bushes and berries. Tourists outside their cars snapped photos of the animals, not thinking about the consequences if one of the large bears decided to charge. We had some bear sense, having lived eleven years in the Yukon where grizzlies were commonplace. We were content watching from our car window, thank you.

As we stood at the gas pumps in the village of Radium, the

sound of a loud explosion at the edge of the town caused us to jump. A vast cloud of dark smoke rose in the air no more than half a kilometre from where we stood at the pumps. As we drove towards it on our way out of town, the smell of smoke, mixed with whatever chemical that had been released into the air, was overwhelming. Being nose-y, as I am, I suggested we stop and see if we could find out what had happened. There was a group of people outside the burning building watching the flames. We spoke with a local who was on a side road outside the long, and, I assumed, white structure. He told us we were watching the Ritz Motel go down in flames. The rumour was a gas leak had caused the explosion.

The smell was sickening, and the air was getting thicker, so we departed quickly. We could hear fire truck sirens blazing behind us, and we saw more first responders coming at us as we drove west. Our drive home was becoming a little more interesting than the drive to Alberta had been. Years later, I read online that the motel, which had been closed for many years, had burnt to the ground but that no one was hurt.

Thirty minutes or so further on, we stopped for one last quick bathroom break and leg stretch at the Fairmont Hot Springs. We parked in the dirt lot next to the hotel and walked down to the natural hot spring that sits just below the resort. The familiar polished and glossy folding hillside of rock, laden with minerals that surrounded the steaming hot water, emitted a dense fog of sulphur that stung our noses with the smell of rotten egg. We have always loved visiting the hot springs, stink or no stink. We didn't have our suits that day, so we didn't go into the pools. After a few minutes, we made our way back to the car.

Once in the parking lot, Maia asked to drive. I passed her the keys, happy to relax in the passenger seat. Maia was an excellent driver, very attentive to the rules of the road, and I always felt comfortable with her in the driver's seat. At nineteen, she was a responsible and determined young woman, a high achiever, finishing high school before most of her classmates. In September,

she would return to her second year at the University of Calgary, studying to be a high school English teacher. Maia had always been a planner; she knew what she wanted, and she was on her way to making it happen. Today she planned on getting back to Nelson safely.

The road was becoming curvy, with potholes randomly appearing in the pavement as we travelled towards Skookumchuck, BC. I remember looking out over the vast, empty landscape under a clear blue sky, wondering if Larry would have dinner waiting for us.

And then, nothing.

We don't always know what will happen from day to day, minute to minute. How much control do we have over our own lives? I am confident the owners of the Ritz Motel or the caretaker who still managed the property had no idea they would be standing outside, watching their belongings burn. I witnessed it, not knowing the cause of the fire or if anyone was still inside. I moved on—I was on my own journey that day.

What happened to us made no sense. There were very few cars on the road. It was late afternoon on a Sunday, at dinnertime. People were in their houses, cooking or watching TV. Kids were playing in yards, waiting to be called in for the night. Maia and I were thinking about family, home and food. There were no vehicles behind or in front of us, but there was one SUV at the top of the hill, coming towards us.

The SUV crossed over the yellow line and into our lane. We were driving the speed limit. There was no way of telling how fast the SUV was going, but it was coming at us at high speed. If we swerved to the right, we would have driven into a cement barrier, and the SUV would likely hit us anyway; if we turned to the left, the SUV would still hit us.

You make decisions based on the here and now. Sometimes I think to myself, what if we had stayed longer at the hot springs or in Radium to watch the fire? Would that have changed our fate that day? Would the SUV have crossed the line at the same

moment it did? Perhaps we would just be arriving at Fairmont for that quick stroll. Five minutes could make all the difference in the world. Everything can change in the blink of an eye.