On Friday, November 30 at approximately 3 PM, an 84-year-old woman was struck and killed crossing Kiely Boulevard in Santa Clara near Steinhart Court by a 20-year-old woman driving a Dodge Charger. The pedestrian was not using the crosswalk at Forbes Avenue, a quarter-mile to the south, or the busy crosswalk at Homestead and Kiely, a quarter-mile to the north. She entered the roadway as a northbound wave of cars had passed by – the same wave of cars I waited for as I turned left into Barcels Avenue from the second southbound travel lane on my bicycle. There were no cars in the southbound lanes when I entered from Homestead and moved left, and it was probably about a half-minute or less when the southbound wave of cars would have caught her in that same southbound lane. The speed limit here is 35 MPH, and they would have rounded the corner by Ramona Court easily accelerating to 35-40 MPH, catching her by surprise. Although the northbound traffic wave had passed, it’s easily possible she was caught in that second lane watching a passing northbound car or two (who are legally required to stop), because there is no center lane she could safely have stood in.

Mercury News and SF Chronicle reported that she was not in a crosswalk. More accurately she was not in a ‘marked crosswalk.’ California Vehicle Code (CVC) 275 defines a crosswalk as "that portion of a roadway included within the prolongation or connection of the boundary lines of sidewalks at intersections where the intersecting roadways meet at approximately right angles, except the prolongation of such lines from an alley across a street."

Clear, huh? The fact is she was within legal and reasonable behavior where and how she was crossing, and was the unfortunate victim of timing, not stupidity as implied by the many negative comments on the articles. Between the two marked crosswalks at Homestead and Forbes which are over a half-mile apart, there are seven (7) such intersections, and the City of Santa Clara has invested in their ADA compliance to facilitate crossing more easily by users of mobility devices (i.e. wheelchairs). Further, implying that using the marked crosswalk at busy Homestead is a safer alternative naively ignores dodging many right-turning drivers here who barely slow for their red light while gazing left to beat oncoming cars proceeding on their green light.

CVC 21950 states that “the driver of a vehicle shall yield the right-of-way to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection.” One possibility is that the driver in the first lane was doing just that, and one or more following drivers moved left and accelerated, without consideration there may be a reason for this driver to slow (other than his/her own stupidity... I’m sure you’ve heard the old saying about the idiot slowpokes in front of you and the speeding jerks tailgating you!).

Commenters exclaim this woman was “jaywalking”, not too old to win the Darwin Award, and may have been “wandering with Dementia.” Such incredible disrespect! I suspect she was headed to the nearby Safeway or CVS and had either relinquished her driver license at her advanced age, or simply didn’t want to drive a half mile and search for parking on such a nice day. Most likely she has crossed this busy streethundreds or thousands of times, as many of our neighbors have.

My condolences go out to this woman’s family, and I’m absolutely sickened by the ignorance and disrespect for our vulnerable road users that our culture has come to accept. I am also sympathetic to this young driver, as this is such a tragic way to learn of the hyper-attentive focus necessary to navigate our busy thoroughfares. Fellow drivers please slow down, pay full attention to the road, and enjoy the holidays safely with your loved ones!