

ALCOHOL RELATED FATALITIES

IS THE 21 DRINKING AGE THE REAL ISSUE?

Impact of raising the drinking age is obscured by conflicting statistics and divided opinions among the experts as to the effectiveness of the new laws and their enforcement.

As the nation raises its drinking age to 21, questions begin to emerge regarding the long-term impact of what some view as a form of Prohibition.

Advocates believe that the saving of lives is worth more than the inconvenience placed upon the public. Enforcement officials complain of an increased responsibility without a simultaneous increase in personnel or resources. Public policy researchers wonder if we are creating a new class of criminals, encouraging a disregard for the law and pressure to move to other, more accessible drugs. Restaurant operators and retailers feel singled out in "sting" and "decoy" operations, believing that this form of "entrapment" does not address the true problem—lack of education and parental supervision of youth.

"Federal legislation linking state highway funds to a drinking age of 21 is another example of government's use of cannon to kill a mosquito," says

James Schaefer, director of Alcohol and Other Drug Abuse Programming at the University of Minnesota. "Our research shows that less than one percent of teenagers are ever involved in an alcohol-related accident or fatality. To attribute the decline in auto fatalities to the raising of the drinking age ignores the tremendous amount of resources dedicated to enforcement, public awareness campaigns, and alcohol education in schools."

Alexander Wagenaar, associate research scientist for the Transportation Research Institute, and one of nation's leading research experts on the "21 issue" does not necessarily agree. "From a research perspective, the past decade and a half has provided us with a very unique natural experiment. The various changes in drinking ages in many states have been very amenable to research. This provides us with data

on changes in the drinking age and the relationship to highway accidents.

"Raising the drinking age has a significant effect in reducing some alcohol-related problems in young people," continues Wagenaar, "particularly in highway accidents, where we have substantial data."

AGE IS A COMPONENT. Though Wagenaar does not attribute the total effect to the age, he believes it is an important component. "A policy which makes alcohol more difficult to acquire for this high risk population is part of a broad-based prevention orientation."

Recent statistics from the National Commission on Drunk Driving seem to support raising the drinking age. Between 1980 and 1984, there was a cumulative reduction of 7,700 youthful (age 15-24) Alcohol Related Fatalities (ARF). However, although ARF among 15- to 24-year-olds declined 25 percent, non-ARF also declined 16 percent. While these changes are signifi-

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cant, the general population had a similar decline in ARF of 16 percent. What proportion of these decreases can be attributed to drinking age and drunk driving laws, and how much to other factors such as safer cars, seat belt usage, and improved emergency medical care is an important distinction.

An additional factor which seems to be excluded from many studies is the effect of the aging of the population. During the late '60s and early '70s, when drinking ages were lowered, the "baby boom" generation was in the middle of its adolescence period. Many studies show that alcohol abuse is not prevalent in males aged 15-24. Except for alcoholics, people's drinking habits generally change after this age period. The question to ask today is, did the raising of the drinking age during the late '70s and early '80s have more of an impact than the general aging of the population?

Furthermore, in addition to alcohol, use of marijuana and other drugs by young people increased during the time when most of these statistics about drunk driving accidents were compiled. What proportion of the accidents attributed to alcohol were really related to these other drugs?

Wagenaar asserts that the method of evaluating the data was controlled for the aging of the population. However, Schaefer cites several recent studies which indicate that the rate of accidents among 19- to 20-year-olds has actually increased since the drinking age was raised to 21. For instance, in Illinois, where the drinking age was raised in 1980, the number of all auto fatalities declined 13 percent. But ARF of 19 to 20-year-olds increased from 52 per year to 61 per year. This is despite a decline in the number of licensed drivers in that age group by almost six percent per 100,000 licensed drivers.

Data from the National Commission's report is based on the 15-state sample from the Fatal Alcohol Reporting System, which consistently tested 80 to 90 percent of drivers killed in crashes from 1980-1984. Since data from this sample was used to predict national trends, it is interesting to note that seven of the 15 states did not have 21 as the purchasing age during the reporting period.

If the 21 purchasing age law is going to work, then it will have to be accepted by the public as being of substantial benefit, it must be complied with, and there must be enforcement.

James Goldberg, general counsel to the National Alcoholic Beverage Control Association, reports that with the

age increase, there has been an increased burden on enforcement agencies. But these agencies are not always getting increases in the number of enforcement personnel, and are subject to the same budgetary constraints as other governmental organizations.

Because of these restrictions, ABC agencies are using selective enforce-

ment. However, more needs to be done to equalize enforcement. What should be done with the 18-, 19-, or 20-year-old—legally an adult except for purchasing alcohol—who commits an act of fraud by forging an identification or in other ways misrepresents his or her age in order to obtain alcohol?

"Have them arrested," asserts Da-

Due to budgetary and personnel constraints, ABC agencies are using selective enforcement techniques designed for the maximum public exposure and deterrent effect.

ment techniques for the public exposure. Sting or decoy operations, using undercover minors to attempt to procure alcohol illegally, have been implemented throughout the country. Adverse publicity in a local newspaper or radio report about a bar or package store selling to a minor serves as an effective deterrent to future violations—especially, as in Florida, when the clerk or server is arrested, facing fines up to \$500.

Howard Rasmussen, commissioner of the Florida ABC, said that his commission has received nine additional investigators. With the drinking age going up to 21, they have also added a toll free phone number—1-800-AGE-IS21—for local citizens to report sales to underage people.

Florida's "Strike program" is a sting operation. The first violation for selling to an underage person leads to a warning; the second, a final letter; the third, a \$1,000 fine and a 20-day suspension; the fourth, license revocation.

The Commission also rewards responsible business practices. A clerk or a server who refuses to sell to the undercover agent "receives a letter of congratulations from the Florida Commission," points out Rasmussen.

Underage drinking can be broken into two component parts: purchasing alcohol through legal outlets, both on- and off-premise; and obtaining alcohol from friends who are of the legal drinking age.

Sting operations, increased awareness, and threats of lawsuits for selling to underage persons has increased the deterrent effect for the selling in-

vid Waddington, owner of Graffiti Lounge in Connecticut. "When the drinking age went up, we decided to change our marketing and go after an older, more responsible drinking crowd. We also wanted to improve our image in the community. By going to the police, and working out an action plan with them, whenever an underage person attempted to get in using a false identification, we would have them arrested. Detain them, call the police, and prosecute. The word spread quickly, and we had our goal."

INCONSISTENT ENFORCEMENT. But not all police and judges are as cooperative as in Waddington's community. Many restaurant operators report that a minor arrested for using a false identification is usually given a slap on the wrist and sent away. There is no deterrent for the underage person, nor in many cases, for the adult who buys for them.

In Florida, House Bill 128, filed by Representatives McEwan and Martinez, would create a penalty of driver's license suspension for any person who misrepresents his or her age to obtain beverage alcohol. Adults who provide alcohol to underage persons can be prosecuted under Chapter 827.04 of Florida laws for Child Abuse, and upon conviction, could receive one year in jail and a \$1,000 fine.

How common is alteration and falsification of identification? Keither Doerge, president of the Drivers License Guide Company in California, believes that for the bar or restaurant, counterfeit identifications are more of

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a problem. "Although a driver's license can be altered with new type and lamination, these changes are easy to detect with a minimal amount of observation. It is an out-of-state or foreign identification that causes the most problems. The person checking the identification needs to know if it is valid for the state or country. They need to understand what items should be checked, such as state seal, camera numbers, signatures, etc."

EDUCATION IS NEEDED. Whether they are for or against raising the drinking age to 21, most experts and operators alike agree that what is needed most is more education for young people about alcohol. Yet how can educators overcome the contradictions created by the new laws?

In most states where the drinking age was raised to 21, those between the ages of 18 and 20 can still be employed in a position where they "serve and sell" beverage alcohol. A person in that age group is considered responsible enough to determine when someone else is able to drink, and to refuse service to someone who has had too much. Is it realistic and fair for the law to recognize responsibility in one area and ignore it in another?

At the Second Northeast Conference on Responsible Beverage Service held in Boston last November, Judge William Bair Griffith, representing the National Council of Juvenile and Family Court Judges, suggested that it is important that everyone start with the same understanding that there is no such thing as responsible drinking for the underage drinker. "There is no right way," says Judge Griffith, "to do a wrong thing."

Yet this is what we are asking educators to do. Karen Jacobus, director of the Western Massachusetts Primary Prevention Center, must work within the constraints of federal and state mandates which state that drinking alcohol by underage persons is not appropriate—and the reality that adolescents do drink. Moreover, research has shown that they now begin drinking at a younger age than ever before.

"We encourage responsible decision making rather than responsible drinking," says Jacobus. "This is more palatable to parents, especially knowing that strict rules about not drinking do not allow for discussion of the common question of what kids are supposed to do in difficult situations."

Jacobus believes that a change in the law is not enough. "Adolescents always test the limits of any rules. Education is important, but it needs policy

and enforcement support from schools, communities and parents."

The 21 debate will undoubtedly continue for many years to come. But, we have to ask if we are creating the very situations we have been working to correct for the past two decades, namely, disrespect for the use of alcohol; sneaking and lying about consump-

Both professionals and young people are beginning to recognize that the problem is not just drinking, but rather the fatal combination of drinking and driving.

tion; underground and after-hours partying with lack of public peer pressure to control it; and a necessity to consume large quantities in a short time period to avoid apprehension.

Schaefer believes these are all part of the behavior we saw during Prohibition—sneaking, gulping, and covering up. "Are we prescribing increased problem drinking and drug use for young people? If they fear getting busted if caught carrying a fifth of vodka or a case of beer into a party, they may feel that a gram of cocaine or several joints are easier to use."

Police and judges complain about the overcrowded legal system. Will increasing penalties for underage drinkers and third party purchasers do nothing more than inspire police leniency because of lack of time and space? Will they begin to excuse other deviant behavior so as to avoid becoming involved with alcohol possession?

Professionals and young people are beginning to recognize that the problem is not just drinking, but rather drinking and driving. A senior at Smith College recently noted that during her trip to France, where the drinking age is 16, "the challenge to drink was gone, and few of her contemporaries noticed if she was drinking or not." She noted, however, that the problem of drinking and driving in France is greatly reduced—not by controlling drinking, but rather by only granting driver's license to people 18 years and older, and only after rigorous testing.

At the Second Northeast Conference on Responsible Beverage Service, Robert Simpson, consultant to the Adlec-

tion Research Foundation in Canada, also proposed an alternative to focusing on the "drinking end of the drinking and driving problem."

He suggested that more be done to extend the probationary driver's license with a point system encouraging good driving behavior. According to the plan, new drivers would be issued a

probationary license with restricted privileges; it would take a minimum of two years to become a non-probationary driver. Convictions for alcohol-related offenses would add an additional year to the process. The advantage of such a plan, according to Simpson, is that it rewards law-abiding behavior and it would add little burden to the already overcrowded legal system and present little conflict for police.

Despite the gains over the past few years in reducing alcohol related fatalities, more than 8,000 youths lost their lives last year. We must continue to proceed in developing strategies which will reduce the occurrence of this national tragedy.

If the evidence continues to suggest that the 21 purchase age has a significant impact on reducing the loss of lives, then it should be continued, with public education, increased enforcement, and equitable sanctions.

However, if the hospitality industry continues to move in the positive direction of recent years, becoming more responsible in its service of beverage alcohol, with diminishing tolerance for alcohol abuse, then shouldn't we consider the positive benefits of allowing young people to move away from uncontrolled, illegal drinking situations to more controlled environments?

Research must continue and a cooperative spirit expanded if we are to truly eliminate this tragedy. **3**

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