



# TURNS 20

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Drinking age anniversary  
 is cause to celebrate what's right  
 and fix what's wrong

**T**he summer of 1984 had all the ingredients of high political drama on Capitol Hill. A young grassroots organization called MADD took on the Washington political machine. And won.

At issue was the 21 minimum drinking age. Health researchers, traffic safety experts and spirited mothers who formed MADD were for it. The alcohol industry, politicians tied to the alcohol industry and restaurant owners were against it.

President Ronald Reagan—a champion of states' rights—was thought to be opposed to "21" on the grounds that the federal government should not impose a drinking age on the states.

In the end, public health won out.

This summer, "21" turns 20 years old, and those who made it happen look back. From North Carolina Senator Elizabeth Dole's firsthand account of Oval Office discussions and New Jersey Senator Frank Lautenberg's recollection of his teenage children not speaking to him to the door-to-door visits MADD and a CBS News camera crew paid to senator's offices on the Hill, it was a colorful summer indeed.

"Today, 20,000 kids are still living because of that life-changing law," says MADD National President Wendy J. Hamilton. "But we can't put the period there. Alcohol is still the No. 1 drug for today's youth."

Contrary to the intent of the federal 21 drinking age law, loopholes in some states actually make it legal for underage drinkers to purchase, possess or consume alcohol. And people or establishments who sell or supply alcohol often receive a slap on the wrist—if any punishment at all.



Twenty years, 20,000 lives. It's a magnificent milestone. But it's not just time to look back. It's time to "fix 21."

### The Deadly Data

The history of "21" really begins with the repeal of Prohibition in 1933, when nearly all of the states set 21 as the minimum legal drinking age. It was not until 1970—the same year Congress lowered the voting age to 18—that a move to lower the legal drinking age began.

"This was the Vietnam era, and the voting age had just been lowered. The argument became: If 18-year-olds can fight and vote, then they should be able to have a drink," says Alex Wagenaar, Ph.D., professor of epidemiology at the University of Minnesota School of Public Health.

Between 1970 and 1975, 29 states lowered their minimum drinking ages. Meanwhile, 13 states kept the legal age at 21. The results of this controlled experiment were as convincing as they were tragic.

"In states that lowered the age, we found a 15 to 20 percent increase in alcohol-related teen car crashes," says Wagenaar, whose research, particularly in Michigan, helped shape the national debate.

Michigan had lowered its drinking age to 18 in 1972, then raised it back to 21 in 1978 in response to the rise in traffic crashes among 18- to 20-year-olds. Once the 21 age was restored, Wagenaar found that alcohol-involved highway crashes immediately declined in this age group.

His findings—presented two months before Michigan voters were to consider a state constitutional amendment to re-lower the drinking age from 21 to 19—made national front-page news.

"Some people did not like the news that lives were being saved," Wagenaar says. "One representative in Michigan called me a fascist. Others said the data were all cooked and this was part of a conspiracy. But I didn't bow to pressure or wonder if what I was doing was right. I was just a health scientist doing research."

### Taking on Congress

As in Michigan, some states had restored the legal drinking age to 21. Yet many states held out—creating a checkerboard of state laws.

"We made a push state by state to pass '21' on its merits. But it was clear that every one of the holdout states

was going to put up a difficult fight given the virulent opposition of the alcohol industry," says Chuck Hurley, who was then the lobbyist for the National Safety Council.

MADD took the battle to Washington, D.C., where newly elected President Reagan called for a special commission on drunk driving. Two years later, a top commission recommendation, led by future Illinois Gov. Jim Edgar, presented a challenge for "Mr. States' Rights," as Reagan was known. It was a proposal to deny highway funds to states that did not raise the drinking age to 21.

"One big break came with New Jersey Congressman Jim Howard, then the chairman of the House Public Works and Transportation Committee," says Hurley, who is now a vice president with the National Safety Council.

"He held the purse strings to \$75 billion for roads, bridges and dams. He literally kept a black book, and if you voted against him, you weren't going to get a project in your district for 100 years," Hurley jokes, remembering the day he asked Howard to introduce a bill tying highway funds to "21."

"His first question was, 'Chuck, how do the mothers feel?' That is really the endearing way he thought of MADD. And I said, 'Mr. Chairman, they're for it.'

"Then I'm for it too,' Howard said. It was really that simple," Hurley recalls.

The Howard bill passed the House on a voice vote.

In the Senate, New Jersey freshman Senator Frank Lautenberg tacked similar legislation onto the Senate highway bill. "Between New York, where the drinking age was 18, and New Jersey, where it was 21, we had a 'blood border.' Kids were going to New York to drink and then driving home—dying at the borders. So I decided to do some life-saving," says Lautenberg. He met fierce opposition.

"Restaurant owners and alcohol establishments said I was going to put them out of business. And my two younger kids didn't even want to talk to me. They were in their late teens and said I was killing all their fun," Lautenberg says. "I preferred to kill their 'fun' rather than kill them."

Meanwhile, Hurley was escorting MADD founder Candy Lightner and a CBS News crew through the Senate building.

"Candy and I were going door to door in the Senate to pin them down on their '21' stance. Some senators loved it. Some hated it. One would not let the cameras in for fear that the media was driving the Senate decision," says Hurley, remembering another senator who even flip-flopped on her anti-21 stance once the cameras were rolling.

### White House Shift

Ultimately, a shift in the White House's position created the clincher MADD needed.

Despite the official White House stance against a federal 21 drinking bill, President Reagan's Secretary of Transportation Elizabeth Dole really wanted the Administration to support it. "It made such common sense to me," Dole says. Like Senator Lautenberg, she was alarmed by the numbers of young people dying on state "blood borders."

She pressed for an Oval Office meeting with President Reagan. "I wanted to see if I could get the president to come on board with us," she recalls.

Early into that White House meeting, top Reagan advisors Edwin Meese and Michael Deaver reminded the president of his opposition to federal "21" legislation due to states' rights.

Dole says the ensuing dialogue was short and sweet. "The president looked at me and said, 'Well, wait a minute—doesn't this help save kids' lives?'"

"I said, 'Yes, Mr. President, it does.' "Well, then, I support it,' he said."

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The next day, Secretary Dole announced President Reagan's support for the measure during a MADD press conference on the Capitol steps. Lautenberg's Senate measure subsequently passed 81-16. And Reagan signed the Uniform Drinking Age Act into law on July 17, 1984.

### The Paradox of '21'

Since then, the National Highway Traffic Safety Administration estimates 1,000 lives have been saved each year in alcohol-related traffic crashes—close to 20,000 in the two decades the law has been in effect.

"This does not take into account the number of burns, drownings, sexual assaults, and even suicides and homicides averted by '21' legislation," says MADD's Hamilton.

But there's still work to be done. "Between alcohol-related automobile crashes, unintentional injuries, and homicides and suicides, my best estimate is that there are 7,000 alcohol-related deaths among people under age

21 annually," says Ralph Hingson, Sc.D., director of the Division of Epidemiology and Prevention Research for the National Institute on Alcohol Abuse and Alcoholism. "There are still a lot of people dying because we're not enforcing these laws."

Hingson also points to what was not known in 1984, but is known now: The brain continues to develop until the early 20s. "Magnetic resonance imaging shows less frontal lobe activity in children who have alcohol dependence," says Hingson, adding that memory, spatial relations and the ability to plan are most affected.

Despite laws setting 21 as the minimum legal drinking age and research showing alcohol damages brain development, the paradox of "21" is this: Underage drinking is America's No. 1 youth drug problem.

Underage drinkers have easy access to alcohol. Drinking laws—if not riddled with loopholes—often are not well enforced. And parents and communities often look the other way.

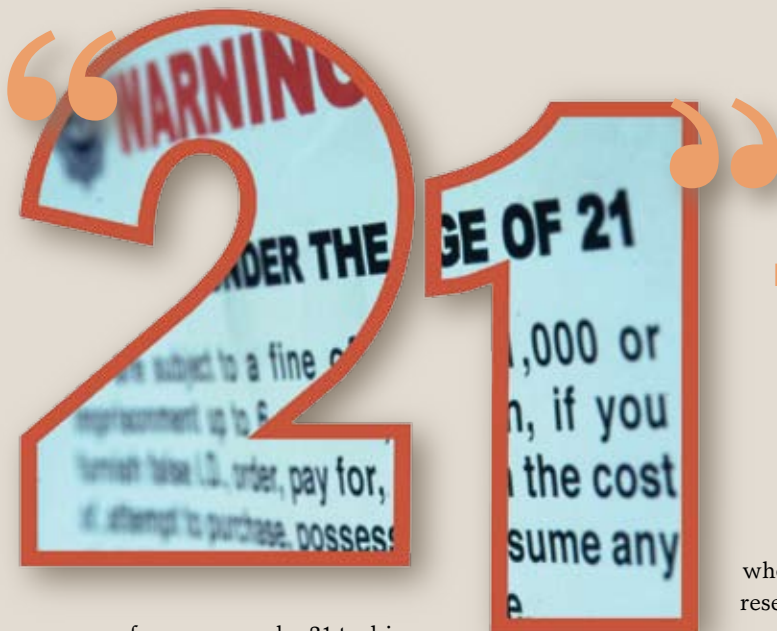
### Loopholes and Law Enforcement

In 1995, the passage of the federal Zero Tolerance Laws gave the 21 drinking age a shot in the arm. Before 1995, it was not against the law in many states for drivers under 21 to drink and drive until their BAC exceeded the legal limit—which was then .08 or .10 percent, depending on the state.

Hingson's research on zero tolerance was critical.

"We looked at eight states that had passed Zero Tolerance Laws and compared them to eight nearby states that had not. We found a 20 percent reduction in single-vehicle, nighttime fatal crashes among 18- to 20-year-olds in states that had Zero Tolerance Laws versus states that did not," he says.

In 1995, Congress passed legislation requiring all states to adopt Zero Tolerance Laws, which make it illegal



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for anyone under 21 to drive with any measurable amount of alcohol in their system.

Yet other loopholes and legal technicalities still abound. Fourteen states currently do not prohibit underage attempts to purchase alcohol. Fifteen states do not prohibit consumption by underage drinkers. A recent, highly publicized case in Virginia, for example, has shown that the underage consumption law there refers only to “minors,” technically making the 18- to 20-year-old group exempt.

Meanwhile, as Senator Lautenberg recently observed while at a rodeo in Montana, enforcement of underage drinking laws is often spotty.

“I noticed a lot of young kids walking around with beer bottles,” Lautenberg says. “So I walked over to a policeman and said, ‘Officer, do you know what the legal drinking age is in this country?’

“He said, ‘It’s 21.’

“I asked him, ‘Don’t most of these kids look like they’re under 21?’

“He said, ‘Look mister, I do traffic.’”

Lautenberg swallowed hard that day. “If we saved 20,000 lives just by passing the ‘21’ legislation, maybe we could have saved twice that number with better law enforcement.”

Researchers and safety experts agree.

“Most communities could use more active enforcement,” says the University of Minnesota’s Wagenaar,

whose continued research into underage drinking has revealed under-21 buyers often have

little trouble buying—and of-age suppliers often go unpunished.

In fact, while Wagenaar says progress has been made since 1994, he estimated then that only five of every 100,000 incidents of underage drinking resulted in a fine, license revocation or license suspension of an alcohol establishment.

“We don’t do enforcement of the purchase age anywhere near optimally,” Wagenaar says. “Nor do those who sell to underage drinkers think they will get caught. One enforcement check every few years is not enough.”

#### ‘Fix 21’

“Federal 21 legislation was a victory for MADD and a victory for the nation,” says MADD’s Hamilton. “But so many more young lives will be saved if we fix the remaining flaws in the 21 law.”

Federally, MADD recommends the establishment of one lead agency to deal with all underage drinking issues. “Without such a national agency, it makes it hard to see where we are on the scorecard with underage drinking issues,” Hingson says.

MADD will also push for additional funding for underage drinking compliance activities, as well as further research into underage drinking.

Finally, MADD will ask Congress to fund and support the development of a national underage drinking media campaign aimed at adults. “It is vital to target adults. Kids get their alcohol from adults. Adults either sell it to them, give it to them or buy it for them,” Hamilton says.

State legislative initiatives will take the battle to the trenches. First, MADD will encourage states to fix the deficiencies in the minimum drinking age law.

Second, MADD will encourage states to bolster existing laws or pass new laws based on measures proven to prevent underage drinking. These include compliance checks, sobriety checkpoints and enforcement of Zero Tolerance and Graduated Licensing Laws.

#### Public Safety Will Prevail

Looking back to 1984, some things aren’t so different today. Society still views underage alcohol use as an acceptable rite of passage. Many still subscribe to the “old-enough-to-vote, old-enough-to-drink” philosophy. And many politicians are still tied to the alcohol industry through campaign donations. That, says Hamilton, creates a hard wall to break down.

But step by step and state by state, she predicts common sense and public safety will prevail.

And in the end, more lives will be saved.