



Steve Chapman

Passion of the war on drunken driving

Bigotry was not Mel Gibson's worst offense

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Mel Gibson drove drunk, got arrested and vilified Jews, thus disgracing himself and possibly forfeiting millions of dollars in future earnings.

Man, was he lucky.

By getting behind the wheel with a blood-alcohol level 50 percent higher than the legal limit, he could have killed himself or someone else, as many drunken drivers do. Making amends for being anti-Semitic is hard, but not as hard as apologizing for ending a life. Gibson's experience is a reminder that drunken driving, like bigotry, is a battle yet to be won.

In this arena, success has bred complacency. Back in the 1980s, the federal government and the states went after drunken driving with several weapons--raising the drinking age, lowering the permissible blood-alcohol level, stepping up enforcement and stiffening penalties. Between 1982 and 1999, the number of alcohol-related traffic fatalities plunged by 37 percent, saving more than 9,000 lives a year.

But since then, the improvement has stalled. In 2004, more than 16,000 people died in alcohol-related crashes. We have stopped making progress against this scourge of the highways long before we have eradicated the problem.

One reason is that we're not making enough use of some tools that have proven to be effective. Later this month, that will change: There will be a nationwide crackdown, coordinated by the National Highway Traffic Safety Administration, involving 10,000 law enforcement agencies deploying sobriety checkpoints and saturation patrols.

I was once opposed to checkpoints, which I thought were a useless intrusion into the privacy of motorists. It turns out they are a useful intrusion into the privacy of motorists. A review of the data by the federal Centers for Disease Control and Prevention found

that these stops, which let police assess drivers for evidence of intoxication, generally reduce alcohol-related crashes by 20 percent. That is clearly worth doing, given the modest inconvenience it imposes on the innocent--and given the protection it gives the innocent against being killed by the guilty.

But not all states back strong enforcement with strong sanctions. In many places, a first offender merely loses his license and gets court supervision. Unfortunately, very few first convictions represent first offenses: The average person arrested for the first time has driven drunk hundreds of times before getting caught, according to Richard Roth, a scholar with the Pacific Institute for Research and Evaluation.

By failing to impose painful penalties for the first conviction, we give irresponsible motorists a free pour. They can put off the 12-step program until after their first arrest.

Revoking licenses is a sensible first step for dealing with violators. The catch is that most go on driving even after they lose their privileges.

For some reason, a simple technological remedy to this problem remains mostly on the shelf. Cars can be equipped with interlock devices that require the driver to pass a breath test before the ignition will work--a tool that allows offenders to keep driving, but only if they stay sober.

Most states, however, make sparing use of these gadgets. Chuck Hurley, chief executive officer of Mothers Against Drunk Driving, notes that 1.4 million people are arrested for driving while intoxicated each year, but only 100,000 cars have interlocks.

So New Mexico, which has long had an unusually high drunken-driving rate, decided some tough love was in order. It now mandates interlocks for anyone convicted of DWI. First offenders get them for one year, second offenders two years, and so on. This is a drastic innovation: Most states don't require them, even for repeat offenders.

New Mexico now has more than 5,000 in operation, more per capita than any other state. Last year, while drunken-driving deaths were rising across the nation, it saw an 11 percent drop in alcohol-related traffic deaths.

MADD applauds mandatory interlocks for first offenders, while suggesting an enhancement: Requiring them longer for offenders who try to start their vehicles while drunk. A driver who fails a breath test a week before he's supposed to get rid of the device should not be trusted a week afterward. It makes far more sense to demand a long stretch of flawless behavior--say, six months--before the shackles are removed.

But New Mexico has taken a huge step to get drunken drivers off the road and keep them off. So why aren't the other 49 states doing likewise? It would be a boon to Mel Gibson and a blessing for the rest of us.

E-mail: schapman@tribune.com

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