

**Statement of Glynn R. Birch**  
**National President**  
**Mothers Against Drunk Driving**  
*Regarding*  
**Effectiveness of Federal Drunk Driving Programs**

**Subcommittee on Transportation Safety, Infrastructure Security,  
and Water Quality**  
**Senate Environment and Public Works Committee**  
**October 25, 2007**

Chairman Lautenberg, Ranking Member Vitter, and members of the subcommittee. Thank you for the opportunity to testify before your subcommittee on the effectiveness of federal drunk driving programs.

Mr. Chairman, I want to publicly thank you for your efforts to stop drunk driving. You have played a singular role in this fight and MADD sincerely appreciates your steadfast leadership. Extraordinary progress has been made to reduce drunk driving, with a 44 percent reduction in alcohol-related fatalities since 1980—the year MADD was founded. We would also like to thank law enforcement, prosecutors, NHTSA, state highway safety offices, and others for their leadership. Most especially we want to thank the American people, who demanded that progress be made. This has truly been a team effort.

For more than 15 years, I have worked as a volunteer to try and advance MADD's lifesaving mission at the local, state, and national levels.

I became involved with MADD after my son, Courtney, was killed by a drunk driver on May 3, 1988. Courtney was playing with his two older cousins at his grandmother's house. Hearing the music of an ice cream truck, Courtney followed his cousins outside. That's when the offender's car came barreling down the street and hit Courtney at 70-miles per hour, dragging his small body over 150 feet before the car stopped. My son was killed instantly by a three time repeat offender with a BAC of .26.

Mr. Chairman, as you know this must not be tolerated. In the fight against drunk driving, however, we also have to be honest with ourselves. Most of the progress on drunk driving occurred by the mid 1990's thanks to the 21 minimum drinking age, zero tolerance laws, the national .08 standard, administrative license revocation, and especially, tireless leadership by law enforcement.

For the past 10 years, we have been able to maintain this progress, but have made no further gains. In 2006, there were nearly 13,500 fatalities involving a driver or motorcycle operator with at least a .08 blood alcohol concentration (BAC) and nearly half a million injuries due to alcohol-related traffic crashes. While your efforts along with those of MADD and other groups have made drunk driving socially unacceptable, it is still tolerated.

For too long in America, we have been practicing a “catch and release” program. Law enforcement does their very best to catch drunk drivers and we as a society through our legislatures and courts, let them go. The science tells us that up to 75 percent of drunk drivers continue to drink and drive even when their licenses have been revoked. Statistics from a May 7, 2007 Columbus-Dispatch article should alarm us all. According to this story, Ohio’s citizens share the road with 33,000 DUI offenders with five or more convictions! They are also sharing the road with 147,000 people with three or more convictions! We are certain that Ohio is not the only state with this problem as we hear media report, after media report and victim story after victim story telling us repeat drunk driving offenders put our families at risk every day.

Faced with this dilemma, MADD has looked carefully at the numbers -- each representing a precious life -- to try and decide what can be done to again reduce drunk driving fatalities and injuries. MADD keeps in mind that if we continue doing the same things, we shouldn’t expect a different outcome.

Following only those solutions proven to work, MADD announced the Campaign to Eliminate Drunk Driving on November 20, 2006.

The Campaign’s one-year anniversary is just a month away, and here are its four parts:

- Intensive high-visibility law enforcement, including twice-yearly crackdowns and frequent enforcement efforts that include sobriety checkpoints and saturation patrols in all 50 states.
- Full implementation of current alcohol ignition interlock technologies, including efforts to require interlock devices for all convicted drunk drivers. A key part of this effort will be working with judges, prosecutors and state driver’s license officials to stop the revolving door of repeat offenders.
- Voluntary exploration of advanced vehicle technologies through the establishment of a Blue Ribbon panel of international safety experts to assess the feasibility of a range of technologies that would prevent drunk driving. These technologies must be moderately priced, absolutely reliable, unobtrusive to the sober driver, and set at the illegal limit of .08.
- Mobilization of grassroots support, led by MADD and its more than 400 affiliates, and our partners to make the elimination of drunk driving a reality. MADD is uniting drunk driving victims, families, community leaders, and policy makers in the fight to eliminate drunk driving.

MADD believes that anyone who violates the public trust and drives drunk 27 years after everyone knows the effects of drunk driving has earned the right for an alcohol interlock device to be installed on his or her vehicle. The offender has to blow into the device

before the car will start. The offender can still go to work, pick up his or her kids from school, or do anything the rest of us can do. They just can't drive after drinking, in violation of their probation.

Had an interlock law been in place in Florida in 1988, my son Courtney would be alive today. Our family would have celebrated Courtney's 21<sup>st</sup> birthday this August. It is still difficult for my family and me to comprehend that he never made it to this passage in his life.

Multiple studies on interlocks for both first-time and repeat offenders show decreases in repeat offenses (i.e. recidivism) of up to 90 percent while the interlock is on the vehicle.<sup>i</sup> For example, New Mexico, even before its new, more extensive first offender interlock program, found a decrease in recidivism by over a half among first offenders who installed interlock devices.<sup>ii</sup>

Last year, Arizona, Illinois, and Louisiana joined New Mexico in passing legislation to require ignition interlocks on all first time DUI offender's vehicles. These states mandate interlocks for those convicted at .08 BAC and higher. New Mexico, who has had the law the longest, is seeing substantial reductions in drunk driving crashes and fatalities. MADD applauds the efforts of these states and will continue to work in state legislatures across the country to pass similar bills. This is our highest legislative priority.

MADD supports substantial incentive grants for states that pass legislation requiring interlocks on all first time offenders with a BAC of at least .08. We feel this is the best way to persuade more states to require ignition interlocks to keep convicted drunk drivers from continuing to endanger the public. We do not support hard or soft sanctions on states for first offense interlocks at .08 for two reasons. Many states are actively considering this important measure already, and to be effectively implemented, the state must be sincerely committed to substantial changes in its judicial and driver licensing systems. These changes will initially have a significant price tag. The good news for tax payers is that the drunk driver must pay for the interlock.

MADD also supports the consideration of soft sanctions for states that do not have interlock laws for drivers convicted with a BAC of .15 and above and all repeat offenders. We do not support hard sanctions for states on this measure because major progress is being made.

MADD will continue to support hard sanctions for states on laws where the scientific value is overwhelming, the public support is strong, and the need for national uniformity is demonstrated. The 21 drinking age, the national .08 BAC standard, and zero tolerance laws for underage drinkers are excellent examples.

MADD also respectfully asks Congress to consider supporting increased funding for the Governors Highway Safety Program and law enforcement in the next highway

reauthorization bill in order to ensure sufficient resources for high-visibility enforcement including enforcement of underage drinking laws.

We also would request increased federal funding to help with the cooperative research initiative between the automotive industry and the federal government to support new technologies that may eventually prevent vehicles from being started by drunk drivers. MADD does not support any mandate of this new technology, and we believe it is best pursued on a voluntary, data-driven basis over the next decade.

Mr. Chairman, in closing, there are some who advocate lowering the drinking age back to 18. We know the earlier youth drink, the more likely they are to become alcohol dependent later in life and to drive drunk. In order to prevent this, the 21 drinking age law is pivotal to protecting youth.

There has been some debate about the 21 minimum drinking age in the media. I would like to submit for the record statements from the American Medical Association, the National Transportation Safety Board, and the Insurance Institute for Highway Safety with regard to the science behind this law.

There is no controversy in the science. The science is overwhelming and supports the fact that when the drinking age was lowered deaths and injuries on the roads increased and when it was raised, deaths and injuries decreased. NHTSA estimates the 21 law has saved 25,000 lives since implementation by the states. To repeal it would be disastrous and we hope that you, Mr. Chairman, and all your Senate colleagues will make known your support for current law.

The bipartisan work that has taken place in the Senate and elsewhere has saved lives. Thanks in part to your efforts, 25,000 parents somewhere will never know the tragedy of the call that comes at 2:00 AM in the morning and says their child isn't coming home. I know this tragedy first hand, and will make sure that MADD continues to fight so that other parents do not.

MADD believes the way to save lives and to move forward on drunk driving, is through the support of the 21 law, interlock legislation for all convicted drunk drivers, and eventually new technology that will prevent drunk drivers from driving.

Since 1980, together we have made drunk driving socially unacceptable, but still tolerated. With interlocks, drunk driving is no longer tolerated. With advanced technology, it will be impossible. That is the march MADD leads, and we invite the support of the American people.

Thank you again for this opportunity to testify before your subcommittee.

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<sup>i</sup> Willis, C., Lybrand, S., & Bellamy, N. "Alcohol Ignition Interlock Programs for Reducing Drunk Driving Recidivism." Cochran Database of Systematic Reviews (2005).

<sup>ii</sup> Voas, Robert, Paul Marques, and Richard Roth. "Evidence that Interlocks Are Effective with First Offenders.: *6<sup>th</sup> Annual Ignition Interlock Symposium*, 2005.  
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