

kill a deer out of season, and he would lose his rig, his guns, and other equipment and would spend significant time in jail, while the drunk driver who killed a little girl a block from my house could be out of jail and driving again in a week," Blumenauer commented. Blumenauer was struck by the logic of depriving offenders of the instrument of their offense. While recalcitrant drunk drivers could disregard license suspensions and insurance requirements, they could not pose a threat to highway safety without their automobiles. Blumenauer attempted to pass a statewide vehicle forfeiture bill in the legislature, but was stymied by bank lien holders, civil libertarians, and indifference.

Later, as a Portland city councilman, Blumenauer had more success. Opposition was softened by involving concerned parties in the process and drafting an ordinance that met their concerns. Blumenauer also simply had fewer people to convince on the City Council. Portland's forfeiture ordinance was passed by a unanimous vote and went into effect in 1989. The Portland ordinance subjected to forfeiture vehicles of offenders arrested for driving with a license suspended as a result of driving while intoxicated, or those arrested as habitual offenders who have committed three or more serious traffic offenses, at least one of which was driving while intoxicated. Concerns of banking interests and civil libertarians were addressed through provisions allowing the return of vehicles to lien holders or other innocent owners not implicated in the offense. According to Blumenauer, the program was an immediate political success. "It was simple, direct, and cost effective, and the logical linkage between the sanction and the offense resonated with the public," he recalled.

Despite such claims, others were more skeptical about the untried program. No other jurisdiction appeared to have operated a similar program, and no data existed concerning the effectiveness of

such a program in keeping drunk drivers off the streets. Noting that many of the vehicles seized were inexpensive and uninsured "junkers," some, including Reed political science professor Stefan Kapsch, speculated that many offenders might simply purchase other "disposable" vehicles, fail to register or insure them, and continue driving.

Reed policy workshop tests program

Professor Kapsch and a group of his students set out to empirically test the putative success of the program in research funded by the Rose E. Tucker Charitable Trust. A literature review discovered many anecdotal claims about the effectiveness of forfeiture in depriving offenders of the instrumentality of their offenses, but no hard data actually linking forfeiture to reductions in recidivism. The Reed team surveyed households of documented offenders and a randomly selected control group in the spring of 1992, and the data were analyzed for statistically significant variations.

The results were inconclusive, and significant doubts emerged about the validity of the data. Responses to control questions, such as whether a member of the household had been arrested for drunk driving, exhibited minimal or insignificant variation between the target group and the control group. While the survey results posed interesting methodological questions, they provided no answers for the question at issue: does forfeiture have an effect on driving behavior?

My involvement with the forfeiture project began in the fall of 1994. It was readily apparent to both Professor Kapsch

and me that no amount of analysis of the original survey results could yield definitive results or overcome the methodological qualms, and I looked for other sources of data. Working from the Portland Police data system's main arrest files, the Asset Forfeiture Unit's forfeiture database, and handwritten patrol records from the traffic division, I constructed a unified data file on nearly 17,000 perpetrators that included information on virtually all factors with theoretical relevance to re-offense. With the guidance of mathematics professor Albyn Jones, I learned to use and interpret the sophisti-



cated Cox Proportional Hazards statistical analysis model to test the independent effects of seizure and forfeiture on expected time from an initial offense to subsequent re-arrest.

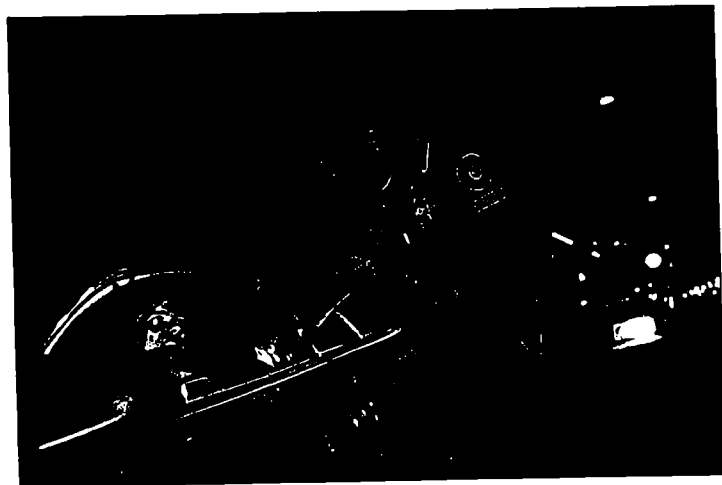
The results of the analysis were as unequivocal as they were remarkable. To a near-statistical certainty, all other significant factors being equal, having a vehicle seized correlated with a nearly doubled expected time to re-arrest. In other words, offenders whose vehicles were seized re-offended only half as often as those whose vehicles were not seized.

Equally interesting, whether the vehicle subsequently was actually forfeited and sold or instead returned to a lien holder or innocent owner had no significant effect on re-offense beyond the mere fact of seizure itself. The conclusion was clear: Portland's forfeiture program worked, and

the careful compromise that had facilitated its enactment had not hampered its effectiveness.

Supreme Court rules

In the meantime, a number of developments significant to forfeiture had occurred on the Oregon and national political scenes. *Bennis v. Michigan*, an important forfeiture case, was handed down by the Supreme Court. Bob Packwood resigned from the U.S. Senate and was replaced by Portland's popular Representative Ron Wyden. This left an open seat in Congress that was filled by



Blumenauer, who immediately began laying the groundwork for placing vehicle forfeiture on the national agenda. While Blumenauer's efforts have the potential to have a positive effect on highway safety nationwide, a congressional failure to require greater forfeiture protections than those afforded by the lax constitutional standards enunciated recently by the Supreme Court may result in a deleterious—and in light of the Reed study, probably a needless—erosion of civil liberties.

In *Bennis*, the Supreme Court upheld the constitutionality of a Michigan law authorizing the forfeiture of a vehicle used in the solicitation of prostitution over the constitutional objections of the co-owner of the car (and unfortunate wife of the offender). Tina Bennis's central claim was that the statute failed to provide a defense

to forfeiture based on her lack of knowledge or authorization of the offending use to which the car was put, depriving her of due process under the Fourteenth Amendment to the U.S. Constitution.

Law traced to Middle Ages

The Supreme Court's rejection of her claim lies in the peculiar legal status of the civil *in rem* proceeding used in forfeiture cases, which is rooted in the idiosyncrasies of ancient English law. Modern forfeiture processes stem from the medieval law of the deodand, by which property used in breaking a law was to be

returned to God, or his representative on earth, the Crown. In the scholastic jurisprudential logic of the era, the proceeding was against the property itself, not the owner, and hence any interest of the owner was simply irrelevant.

Though this fiction has been abolished in other areas of American law, it persists in nearly unaltered form in respect to forfeitures. In *Bennis*, the Supreme Court relied on an unbroken string of decisions beginning with Justice Story's opinion in the 1827 forfeiture case of *The Palmyra* and culminating in the 1974 case *Calero-Toledo v. Pearson Yacht Leasing Co.* which concluded that "the innocence of the owner of property has almost uniformly been rejected as a defense" [against forfeiture].

Civil liberties affected

The omission in Congressman Blumenauer's proposed legislation of a requirement that state forfeiture programs provide innocent-owner defenses, coupled with the Supreme Court's decision in *Bennis v. Michigan*, raises the prospect that many more Tina Bennises will find their

property confiscated due to actions beyond their authorization or control as states respond to the incentive. Furthermore, Blumenauer's intention is that the current proposal is a first step toward a larger goal of providing even greater incentives, or perhaps even requiring states to enact forfeiture programs to qualify for certain federal funds.

Blumenauer admits that the breadth of its innocent-owner defense in the Portland ordinance was in part due to uncertainty about whether a more restrictive law could withstand constitutional challenge. Now that *Bennis* makes it clear that no such defenses need be provided, Blumenauer claims that he would "crank down" the exceptions if he were writing the ordinance today, but he would not eliminate them because he feels that such exceptions are correct as a matter of fairness and necessary to maintain the base of support for forfeiture, regardless of what the Supreme Court says.

If Blumenauer thinks so, then why doesn't the proposed Congressional legislation have an innocent-owner defense? He has a variety of answers, including the hope that states will do so without being required, possibly in response to the same pressures as in Oregon, and the availability from his office of model statutes that do include the defense. Let's hope that Blumenauer is right, and that in future legislation, Congress will protect the Tina Bennises of the world, because the Supreme Court clearly will not. Vehicle forfeiture has the potential to take drunk drivers off our highways nationwide as it has in Portland, but it need not do so at the expense of our civil liberties.

Ian B. Crosby, from Juneau, Alaska, graduated from Reed in 1995 with a B.A. in philosophy. He is currently a second-year law student at the University of Texas and an editor of the Texas Law Review.

EARL BLUMENAUER
THIRD DISTRICT, OREGON
COMMITTEE
ECONOMIC AND EDUCATIONAL
OPPORTUNITIES



Drunk
Drives

WASHINGTON OFFICE
1118 LONGWORTH BUILDING
WASHINGTON, DC 20515-3703
(202) 225-4811

DISTRICT OFFICE
THE WEATHERLY BUILDING
516 S.E. MORRISON STREET
SUITE 250
PORTLAND, OR 97214
(503) 231-2300

Congress of the United States
House of Representatives
Washington, DC 20515-3703

456 7431
TO: Tom Freedman

DATE: 4/30

FROM: Michael Harrison

NUMBER of PAGES: 7 (including cover sheet)

SUBJECT: Among other items, I have included a portion of Mr. Chafee's NEXTFA bill. We want to champion Mr. Chafee's safety grant portion, which is of course really the Administration's proposal. I left a message for Dan Tate at the White House. If you feel we could be of benefit to the administration, please give Mr. Tate a call to let him know that. Thanks. Feel free to call me for additional info.

If you do not receive the correct number of pages or have trouble with the transmission, please call (202) 225-4811.

S. 468 S. Chafee

\$1.586

Moynihan

(Ch. 1, Sec. 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000)

(k)(1) SAFETY INCENTIVE GRANTS: GENERAL AUTHORITY- The Secretary

shall make a grant to a State that takes specific actions to advance highway safety under subsection (l), (m), (n), or (o) of this section. A State may qualify for more than one grant and shall receive a separate grant for each subsection for which it qualifies. Such grants may only be used by recipient States to implement and enforce, as appropriate, the programs for which the grants are awarded.

(2) MAINTENANCE OF EFFORT- No grant may be made to a State under subsection (l), (m), (n), or (o) of this section in any fiscal year unless such State enters into such agreements with the Secretary as the Secretary may require to ensure that such State will maintain its aggregate expenditures from all other sources for the specific actions for which a grant is provided at or above the average level of such expenditures in its 2 fiscal years preceding the date of the enactment of this subsection.

(3) MAXIMUM PERIOD OF ELIGIBILITY; FEDERAL SHARE FOR GRANTS- Each grant under subsection (l), (m), (n), or (o) of this section shall be available for not more than 6 fiscal years beginning in the fiscal year after September 30, 1997, in which the State becomes eligible for the grant. The Federal share payable for any grant under subsection (l), (m), (n), or (o) shall not exceed--

(A) in the first and second fiscal years in which the State receives the grant, 75 percent of the cost of implementing and enforcing, as appropriate, in such fiscal year a program adopted by the State;

(B) in the third and fourth fiscal years in which the State receives the grant, 50 percent of the cost of implementing and enforcing, as appropriate, in such fiscal year such program; and

(C) in the fifth and sixth fiscal years in which the State receives the grant, 25 percent of the cost of implementing and enforcing, as appropriate, in such fiscal year such program.

(l) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES: BASIC GRANT ELIGIBILITY- The Secretary shall make grants to those States that adopt and implement effective programs to reduce traffic safety problems resulting from persons driving under the influence of alcohol. A State shall become eligible for one or more of three basic grants under this subsection by adopting or demonstrating the following to the satisfaction of the Secretary:

(1) BASIC GRANT A- At least 4 of the following:

(A) ADMINISTRATIVE LICENSE REVOCATION- An administrative driver's license suspension or revocation system for persons who operate motor vehicles while under the influence of alcohol which requires that--

(i) in the case of a person who, in any 5-year

EARL BLUMENAUER

1 DISTRICT, OREGON

COMMITTEE

ECONOMIC AND EDUCATIONAL
OPPORTUNITIESWASHINGTON OFFICE
11131 RTH BUILDING
WASHINGTON, DC 20515-3703
(202) 225-4811DISTRICT OFFICE
THE WEATHERLY BUILDING
516 S.E. MORRISON STREET
SUITE 250
PORTLAND, OR 97214
(503) 231-2300

Congress of the United States

House of Representatives

Washington, DC 20515-3703

456-7431

TO: Tom FreedmanDATE: 4/30FROM: Michael HarrisonNUMBER of PAGES: 7 (including cover sheet)

SUBJECT: Among other items, I have included a portion of Mr. Chafee's NEXTEA bill. We want to champion Mr. Chafee's safety grant portion, which is of course really the Administration's proposal. I left a message for Dan Tate at the White House. If you feel we could be of benefit to the administration, please give Mr. Tate a call & let him know that. Thanks. Feel free to call me for additional info.

If you do not receive the correct number of pages or have trouble with the transmission, please call (202) 225-4811.

S. 468 S. Chafee

\$586

NE 4

(k)(1) SAFETY INCENTIVE GRANTS: GENERAL AUTHORITY- The Secretary

shall make a grant to a State that takes specific actions to advance highway safety under subsection (l), (m), (n), or (o) of this section. A State may qualify for more than one grant and shall receive a separate grant for each subsection for which it qualifies. Such grants may only be used by recipient States to implement and enforce, as appropriate, the programs for which the grants are awarded.

(2) MAINTENANCE OF EFFORT- No grant may be made to a State under subsection (l), (m), (n), or (o) of this section in any fiscal year unless such State enters into such agreements with the Secretary as the Secretary may require to ensure that such State will maintain its aggregate expenditures from all other sources for the specific actions for which a grant is provided at or above the average level of such expenditures in its 2 fiscal years preceding the date of the enactment of this subsection.

(3) MAXIMUM PERIOD OF ELIGIBILITY; FEDERAL SHARE FOR GRANTS-

Each grant under subsection (l), (m), (n), or (o) of this section shall be available for not more than 6 fiscal years beginning in the fiscal year after September 30, 1997, in which the State becomes eligible for the grant. The Federal share payable for any grant under subsection (l), (m), (n), or (o) shall not exceed--

(A) in the first and second fiscal years in which the State receives the grant, 75 percent of the cost of implementing and enforcing, as appropriate, in such fiscal year a program adopted by the State;

(B) in the third and fourth fiscal years in which the State receives the grant, 50 percent of the cost of implementing and enforcing, as appropriate, in such fiscal year such program; and

(C) in the fifth and sixth fiscal years in which the State receives the grant, 25 percent of the cost of implementing and enforcing, as appropriate, in such fiscal year such program.

(l) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES: BASIC GRANT

ELIGIBILITY- The Secretary shall make grants to those States that adopt and implement effective programs to reduce traffic safety problems resulting from persons driving under the influence of alcohol. A State shall become eligible for one or more of three basic grants under this subsection by adopting or demonstrating the following to the satisfaction of the Secretary:

(1) BASIC GRANT A- At least 4 of the following:

(A) **ADMINISTRATIVE LICENSE REVOCATION-** An administrative driver's license suspension or revocation system for persons who operate motor vehicles while under the influence of alcohol which requires that--

(i) in the case of a person who, in any 5-year

period beginning after the date of enactment of this subsection, is determined on the basis of a chemical test to have been operating a motor vehicle under the influence of alcohol or is determined to have refused to submit to such a test as proposed by a law enforcement officer, the State agency responsible for administering drivers'

licenses, upon receiving the report of the law enforcement officer--

(I) shall suspend the driver's license of such person for a period of not less than 90 days if such person is a first offender in such 5-year period; and

(II) shall suspend the driver's license of such person for a period of not less than 1 year, or revoke such license, if such person is a repeat offender in such 5-year period; and

(ii) the suspension and revocation referred to under clause (A)(i) of this subparagraph shall take effect not later than 30 days after the day on which the person refused to submit to a chemical test or received notice of having been determined to be driving under the influence of alcohol, in accordance with the State's procedures.

(B) UNDERAGE DRINKING PROGRAM- An effective system, as determined by the Secretary, for preventing operators of motor vehicles under age 21 from obtaining alcoholic beverages. Such system may include the issuance of drivers' licenses to individuals under age 21 that are easily distinguishable in appearance from drivers' licenses issued to individuals age 21 years of age or older.

(C) STOPPING MOTOR VEHICLES- Either--

(i) A statewide program for stopping motor vehicles on a nondiscriminatory, lawful basis for the purpose of determining whether the operators of such motor vehicles are driving while under the influence of alcohol, or

(ii) a statewide Special Traffic Enforcement Program for impaired driving that emphasizes publicity for the program.

(D) REPEAT OFFENDERS- Effective sanctions for repeat offenders convicted of driving under the influence of alcohol. Such sanctions, as determined by the Secretary, may include electronic monitoring; alcohol interlocks; intensive supervision of probation; vehicle impoundment, *
*
confiscation, or forfeiture; and dedicated detention facilities.

(E) GRADUATED LICENSING SYSTEM- A three-stage graduated

EARL BLUMENAUER
THIRD DISTRICT, OREGON
COMMITTEE
ECONOMIC AND EDUCATIONAL
OPPORTUNITIES



WASHINGTON OFFICE
1113 LEONOWORTH BUILDING
WASHINGTON, DC 20515-3703
(202) 225-4811

DISTRICT OFFICE
THE WEATHERLY BUILDING
816 S.E. MORRISON STREET
SUITE 250
PORTLAND, OR 97214
(503) 231-2300

Congress of the United States
House of Representatives
Washington, DC 20515-3703

456-7431

TO: Tom Freedman

DATE: 4/30

FROM: Michael Harrison

NUMBER of PAGES: 7 (including cover sheet)

SUBJECT: Among other items, I have included a portion of Mr. Chafee's NEXTEA bill. We want to champion Mr. Chafee's safety grant portion, which is of course really the Administration's proposal. I left a message for Dan Tate at the White House. If you feel we could be of benefit to the administration, please give Mr. Tate a call & let him know that. Thanks. Feel free to call me for additional info.

If you do not receive the correct number of pages or have trouble with the transmission, please call (202) 225-4811.

S. 468 S. Chafee

S. 586

NO. 1

(k)(1) **SAFETY INCENTIVE GRANTS: GENERAL AUTHORITY-** The Secretary shall make a grant to a State that takes specific actions to advance highway safety under subsection (l), (m), (n), or (o) of this section. A State may qualify for more than one grant and shall receive a separate grant for each subsection for which it qualifies. Such grants may only be used by recipient States to implement and enforce, as appropriate, the programs for which the grants are awarded.

(2) **MAINTENANCE OF EFFORT-** No grant may be made to a State under subsection (l), (m), (n), or (o) of this section in any fiscal year unless such State enters into such agreements with the Secretary as the Secretary may require to ensure that such State will maintain its aggregate expenditures from all other sources for the specific actions for which a grant is provided at or above the average level of such expenditures in its 2 fiscal years preceding the date of the enactment of this subsection.

(3) **MAXIMUM PERIOD OF ELIGIBILITY; FEDERAL SHARE FOR GRANTS-** Each grant under subsection (l), (m), (n), or (o) of this section shall be available for not more than 6 fiscal years beginning in the fiscal year after September 30, 1997, in which the State becomes eligible for the grant. The Federal share payable for any grant under subsection (l), (m), (n), or (o) shall not exceed--

(A) in the first and second fiscal years in which the State receives the grant, 75 percent of the cost of implementing and enforcing, as appropriate, in such fiscal year a program adopted by the State;

(B) in the third and fourth fiscal years in which the State receives the grant, 50 percent of the cost of implementing and enforcing, as appropriate, in such fiscal year such program; and

(C) in the fifth and sixth fiscal years in which the State receives the grant, 25 percent of the cost of implementing and enforcing, as appropriate, in such fiscal year such program.

(l) **ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES: BASIC GRANT ELIGIBILITY-** The Secretary shall make grants to those States that adopt and implement effective programs to reduce traffic safety problems resulting from persons driving under the influence of alcohol. A State shall become eligible for one or more of three basic grants under this subsection by adopting or demonstrating the following to the satisfaction of the Secretary:

(1) **BASIC GRANT A-** At least 4 of the following:

(A) **ADMINISTRATIVE LICENSE REVOCATION-** An administrative driver's license suspension or revocation system for persons who operate motor vehicles while under the influence of alcohol which requires that--

(i) in the case of a person who, in any 5-year

period beginning after the date of enactment of this subsection, is determined on the basis of a chemical test to have been operating a motor vehicle under the influence of alcohol or is determined to have refused to submit to such a test as proposed by a law enforcement officer, the State agency responsible for administering drivers'

licenses, upon receiving the report of the law enforcement officer--

`(I) shall suspend the driver's license of such person for a period of not less than 90 days if such person is a first offender in such 5-year period; and

`(II) shall suspend the driver's license of such person for a period of not less than 1 year, or revoke such license, if such person is a repeat offender in such 5-year period; and

`(ii) the suspension and revocation referred to under clause (A)(i) of this subparagraph shall take effect not later than 30 days after the day on which the person refused to submit to a chemical test or received notice of having been determined to be driving under the influence of alcohol, in accordance with the State's procedures.

`(B) **UNDERAGE DRINKING PROGRAM-** An effective system, as determined by the Secretary, for preventing operators of motor vehicles under age 21 from obtaining alcoholic beverages. Such system may include the issuance of drivers' licenses to individuals under age 21 that are easily distinguishable in appearance from drivers' licenses issued to individuals age 21 years of age or older.

`(C) **STOPPING MOTOR VEHICLES-** Either--

`(i) A statewide program for stopping motor vehicles on a nondiscriminatory, lawful basis for the purpose of determining whether the operators of such motor vehicles are driving while under the influence of alcohol, or

`(ii) a statewide Special Traffic Enforcement Program for impaired driving that emphasizes publicity for the program.

`(D) **REPEAT OFFENDERS-** Effective sanctions for repeat offenders convicted of driving under the influence of alcohol. Such sanctions, as determined by the Secretary, may include electronic monitoring; alcohol interlocks; intensive supervision of probation; vehicle impoundment, *
* confiscation, or forfeiture; and dedicated detention facilities.

`(E) **GRADUATED LICENSING SYSTEM-** A three-stage graduated

War of attrition on drunken driving

Years of public service campaigns have succeeded in making many Americans think twice about driving drunk. But chronic drunken drivers are a deadly constant, even as the law looks for new ways to stop them.

By Carol J. Castaneda
and Paul Hoversten
USA TODAY

Almost two decades after public service ads began preaching against drunken driving, safety advocates can declare victory on one front: Friends don't let friends drink and drive.

The campaign has created such a stigma that it has changed the behavior of most social drinkers.

But with one segment of society, safety advocates acknowledge defeat: chronic drunken drivers. People with prior convictions represent fewer than 2% of all adults but cause up to 60% of alcohol-related deaths and injuries on U.S. roads each year.

As 27 million drivers hit the highways Memorial Day weekend, the National Safety Council predicts that almost as many people will die on the roads during the four-day holiday as the 483 who were killed last year. More than half the deaths will involve alcohol. And in many, a chronic drunken driver will be at the wheel.

Fed up with what seems an intractable problem, judges and juries are fighting back with unprecedented punishments. A repeat offender who caused two deaths was sentenced this month to life without parole — after the prosecutor had sought the death penalty.

Other unconventional penalties are being tried, too. They include new "ignition interlock" devices that block a car from starting if the driver has any measurable amount of alcohol on his breath.

"This just pay-your-court-costs-and-call-the-next-case (strategy) doesn't work at all," says Richard Culver, a trial judge in Hancock County, Ind.

Many tactics used

The threat of jail time, increased use of sobriety check-



Tougher justice: Carolyn Nunnallee of MADD with a photo of her 10-year-old daughter, Patty, killed by a drunken driver in 1988.

tify a car's owner as a convicted drunken driver.

Who are these drivers? They are people like Eugene Standerford, 56, who had eight drunken-driving convictions before he killed a Fort Worth police officer in a traffic crash in 1993.

On the night of the crash, tests showed Standerford had 1½ times the legal amount of alcohol in his system. The unemployed mail sorter was sentenced to life in prison and must serve 30 years before he's eligible for parole.

And they're people like stockbroker Susan Conkey Rhea, 39, who had two drunken-driving convictions before she hit another car in Van Nuys, Calif., in 1995, killing the driver. In her car were alcohol education books from the state she was required to at-

Alcohol-related traffic deaths

Drunken driving deaths declined 31% between 1982 and 1995. But people with prior drunken driving convictions are responsible for up to 60% of deaths and injuries.

	Total fatalities	Alcohol-related fatalities	% fatalities alcohol-related
1982	43,945	25,165	57.3%
1983	42,589	23,846	56.6%
1984	44,257	23,768	53.7%
1985	43,825	22,716	51.8%
1986	46,087	24,045	52.2%
1987	46,390	23,641	51.0%
1988	47,807	23,626	49.2%
1989	45,582	22,404	49.2%
1990	44,599	19,887	44.6%
1991	41,508	17,868	43.0%
1992	39,250	17,473	44.5%
1993	40,150	16,580	41.3%
1994	40,716	16,580	40.7%
1995	41,798	17,274	41.3%

Source: National Highway Traffic Safety Administration

the rest of my life without my child, why shouldn't he?" says Carolyn Nunnallee, president-elect of MADD. Her 10-year-old daughter, Patty, and 26 others were killed by a repeat offender in a Kentucky bus accident in May 1988.

The driver convicted in that case got 16 years in prison and is up for parole next month, which infuriates Nunnallee. "It should make every American angry," she says. "He chose to blatantly break the law and kill and injure people."

Defining the crime

Where to draw the line on penalties for repeat offenders is a hot issue for prosecutors.

"You don't want to reach the point where you have the death penalty for everything," Iowa's Grady says. "You do

Most repeat offenders are beer-drinking men

They routinely drink to get drunk and spend an average of \$16 a day on alcohol. All drink at least weekly and nearly half drink almost every day.

Studies by the National Highway Traffic Safety Administration and others show repeat drunken driving offenders cut across social lines, but tend to fall into certain categories.

Overwhelmingly, they're men between 25 and 45 years old, but the number of female offenders is growing. Most have high school educations or less, hold blue-collar jobs and are single.

They prefer beer over other alcoholic drinks and usually consume it at home.

They typically drive intoxicated four times a week or 200 times a year.

They may have driven drunk up to 1,000 times before they ever see the flash-

ing police lights in their rearview mirrors.

Their blood-alcohol levels are often two or three times above the levels at which states declare drivers legally drunk.

Blood-alcohol standards vary from state to state, but usually are 0.08 or 0.10. A level of 0.10 is about what a 160-pound man would register after five drinks in an hour on an empty stomach.

A chronic drunk driver, the National Commission Against Drunk Driving says, is someone who frequently drives with a blood-alcohol level of 0.15 or higher.

About two-thirds of repeat offenders think drinking drivers are not alcoholics or problem drinkers.

But a third think sanctions against drinking drivers should be more severe.

By Paul Hoversten

about drinking and driving, officials of the National Commission Against Drunk Driving are going after chronic drinkers who need medical help.

The commission believes drunken drivers must be screened for alcohol dependency on the first arrest. That way, those with drinking problems can be treated for their addiction before they become repeat offenders.

Culver, the Indiana judge, routinely requires repeat offenders to have the ignition interlock device installed in their cars. The driver must blow into the device before the engine will start. If alcohol is detected, the ignition won't work.

Some question the effectiveness of the interlock. Determined offenders can simply rent a car that doesn't have the device, they say, or drive a car

tion interlocks slightly lowered the re-arrest rate among habitual drunken drivers.

Thirty-five states have legislation allowing use of the interlock device, but only 10 states are trying it.

For many repeat offenders, there is no recourse but jail.

"When you have repeat DWI offenders, who have been warned over and over again and persist in drinking and driving, society has to protect itself and step in and physically lock them up," prosecutor Rabalais says. "There is nothing short of jail that will protect society from people who repeatedly drive impaired."

Stiff sentences

Culver had no qualms sentencing Stephen Presley to prison for 10 years in January. It was the toughest sentence he could

points and a drumbeat of appeals by police, Mothers Against Drunk Driving and even alcohol manufacturers have been enough to keep the vast majority of Americans driving sober.

And sentences like suspended licenses, heavy fines, community service and classes on alcohol abuse have so scared or embarrassed most drunken drivers who are caught that they are unlikely to have repeat convictions.

But nothing has made a dent in the behavior of drivers who continue to rack up offense after offense, posing the biggest risk on the nation's roads.

Jail time doesn't work. Nor does vehicle confiscation or special license plates that iden-

classes be a drumbeat of appeals by police, Mothers Against Drunk Driving and even alcohol manufacturers have been enough to keep the vast majority of Americans driving sober.

Nationwide, one of every three people arrested for drunken driving is a repeat offender, according to the National Highway Traffic Safety Administration. And one of eight involved in a fatal crash had a conviction within the past three years.

"It's a very frustrating situation," says Peter Grady, an Iowa assistant attorney general who prosecutes drunken-driving cases. "If we could resolve that, we'd have this problem sacked."

Authorities are stepping up the fight against repeat offenders in places like Forsyth County, N.C., where prosecutors this

month sought the death penalty for a repeat drunken driver who was convicted of first-degree murder in a traffic crash. "I was frustrated with a cultural belief system that says there's nothing you can do about drunks on the road; that we can enforce the law but go only so far," Assistant District Attorney Vincent Rabil says. "I didn't believe that. Everybody knows this is murder."

Rabil tried to persuade a jury to give the death penalty to Thomas Richard Jones, 40, who was convicted of killing two 19-year-old Wake Forest University sorority sisters in a crash last September.

Jones, who had two drunk-driving convictions and a

third charge pending, had been under the influence of beer and painkillers when he hit the women's car. He also injured four other students.

The jury rejected the death penalty but gave Jones life in prison without parole, also unprecedented for a drunken-driving case.

Tougher sentences sit fine with anti-drunken driving groups. They say lives can be saved if even one repeat offender is kept off the road. MADD stops short of endorsing a death sentence, but it does approve of life sentences for some repeat offenders.

"The justice system does have to be tougher and the laws enforced. I have to live

Iowa's Grady says. "You do want to make sanctions severe enough that the point will come across" that drinking and driving is unacceptable behavior.

But doctors and others who specialize in alcoholism say that's the biggest hurdle: getting drunken drivers who are alcoholics to accept responsibility and see the consequences of their actions.

"Our society promotes heavy drinking. It does not encourage moderation," says Buzz Hoffman, chief probation officer in Polk County, Iowa. "Many of those folks don't believe they have a problem because society hides those issues."

Now that most social drinkers have changed attitudes

device, they say, or drive a car owned by a friend.

That's what happened to David Reynolds, an Arlington, Va., lawyer with five drunken-driving convictions who was required to have one installed in his vehicle. Last October, driving a rental car while intoxicated, he hit a city bus.

During his court hearing, Reynolds, 44, argued that he shouldn't get any prison time because of his alcohol illness. The judge was unconvinced and sentenced him to five months in jail.

The ignition interlock system is so new that only one substantial study has been done on its effectiveness. The University of Maryland, in a study released last month, found igni-

for 10 years in January. It was the toughest sentence he could mete out under Indiana law for Presley, who killed a motorist one year after a drunken-driving conviction.

Presley, 33, had driven away from a 1995 Christmas party intoxicated, ran a red light and rammed a car driven by Carol and John Toth of New Palestine, Ind. Carol Toth died from her injuries. John Toth's back was crushed and he suffered a heart attack.

Today, Toth, 64, is on the mend but says he barely has enough energy to wash his car. He disagrees with Presley's sentence. "They should have given him life," he says. "He murdered my wife. To me, it's not an accident."

Prosecution's motel testimony is challenged

Deliveryman says McVeigh not the one who accepted order

By Kevin Johnson and Richard Willing
USA TODAY

DENVER — The opening day of Timothy McVeigh's defense focused on a small Kansas motel and a string of witnesses who sowed seeds of doubt about earlier testimony placing McVeigh at what prosecutors say was the staging area for the Oklahoma City bombing.

A Chinese food deliveryman based in Junction City, Kan., testified that McVeigh was not the man who met him outside the room at the Dreamland Motel, where the defendant was reportedly registered four days before the April 19, 1995, bombing that killed 168 people.

Jeff Davis, an employee of the Hunan Palace restaurant, said he delivered an order of Moo Goo Pai Pan on April 15 to Room 25, handing the package to a slender man with a light complexion and tossed hair.

The order was phoned to the restaurant by a person named "Kling," an alias prosecutors say McVeigh used to lease a Ryder truck that carried a

massive bomb to the Alfred P. Murrah federal building.

A prosecution witness had earlier testified that McVeigh, partial to buzz haircuts, had been registered in the same room from April 14 to April 18.

But on Thursday, Davis insisted that McVeigh was not the man who took the delivery.

"Was the person you delivered Moo Goo Gai Pan to Tim McVeigh?" Jones asked.

"No, sir. I don't believe it was," Davis responded.

During a grueling cross-examination, prosecutors repeatedly suggested that Davis had given conflicting accounts of that delivery and descriptions of the person who met him at Room 25. They also said Davis expressed fear that he might be the target of retaliation if he were to identify McVeigh.

Apparently irritated by the line of questioning, Davis said that he may have joked about such a fear but did not feel any threat to his safety.

"From my memory, I have never seen him, no," said Davis, who at one point stepped down from the witness stand and pointed to the spot on a



'No question in my mind': Herta King uses models of the Dreamland Motel and a Ryder rental truck at the trial of Timothy McVeigh

model of the motel where he made his delivery.

Earlier Thursday, two visitors to the Dreamland testified they remembered seeing a Ryder truck in the parking lot on Easter Sunday, April 16 — three days before the bombing.

Their recollections could be critical since prosecutors say McVeigh did not rent the truck until Monday, April 17. Their testimony supports various theories, including the possibility that a second truck was used in the bombing. The accounts also do not place McVeigh anywhere near the truck.

Prosecution witness Eric McGown, a clerk at the

Dreamland, testified earlier that he saw McVeigh in the truck on April 17.

But Herta King, a former Junction City resident, was adamant Thursday that a yellow Ryder was in the motel parking lot on April 16.

"There is no question in my mind," said King, "it was Easter Sunday."

Linda Truong also recalled seeing the truck on April 17 while visiting the motel owners for Easter dinner.

"I asked (motel owner Lea McGown) if somebody was moving," Truong said.

► Severed leg, 1A

Putting 'memory back in memorial'

Plan meant to restore holiday's purpose

By Gary Fields
USA TODAY

WASHINGTON — A 60-second National Moment of Remembrance marked by Taps will be held around the country Monday at 3 p.m. to commemorate Memorial Day.

The National Moment is the brainchild of Carmella LaSpada, founder and CEO of No Greater Love.

The Washington, D.C.-based organization is dedicated to sponsoring annual remembrances of people who have died in service to the country

or through an act of terrorism. LaSpada said she organized the nationwide campaign after

meeting a group of school children on the Mall in Washington in May 1996. "I asked them what Memorial Day meant and they all paused and they said, 'That's the day the pool opens.' That's when I figured we'd better show them why they are free and who paid for their freedom."

Among the participants: ► Chicago's O'Hare and Atlanta's Hartsfield airports will broadcast Taps through their terminals.

► The Mall of America in Minneapolis will play Taps throughout the mall at 2 p.m. central time. The mall has about 100,000 visitors a day.

► President Clinton will participate in services at Arlington National Cemetery.

► All 200 Amtrak trains that are traveling at 3 p.m. Monday will blow their whistles for one minute in salute.

"I can see Amtrak doing this from now on," says spokesman Kirk Rostron. "This is a great way to help people put the word memory back in memorial. I will be taking a moment to remember."

Much of the nation's workforce will have the day off.

'Nun bun' dough will stop rolling in

Reuters

NASHVILLE — The owner of a coffee shop who has displayed a cinnamon bun shaped in the image of Mother Teresa said Thursday that he will honor her request to stop selling merchandise bearing her likeness.

Bob Bernstein, owner of the Bongo Java coffeehouse, had displayed the "nun bun" in a glass case adorned with Christmas lights since December, when a customer saw Mother Teresa's likeness in a cinnamon bun he was served.

A subsequent merchandising industry bloomed at the cafe and on the Internet.

But when word reached Mother Teresa in India, she had a lawyer ask Bernstein to stop the promotion. Bernstein dropped the Mother Teresa name and offered 15% of the proceeds to her Sisters of Mercy charities.

In her letter this week, Mother Teresa wrote: "I have always refused permission for the use of my likeness for commercial ventures. And, as we do not raise funds for ourselves, I have also refused permission for the use of my name, im-

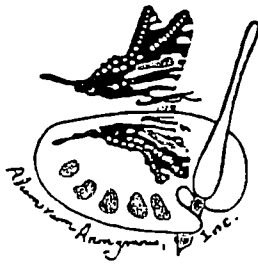


Mother Teresa's image: She opposed promotion

age or voice to raise funds for me or for any other cause."

Said Bernstein, "We feel we're on firm legal ground, but we decided to temporarily stop selling the merchandise until I check with her representatives."

PHOTOCOPY
PRESERVATION



January 6, 1998

~~Alcohol~~
~~Beer~~ W

Mr. Bruce Reed
Director
Domestic Policy Council
The White House
Washington, D.C. 20500

Dear Mr. Reed:

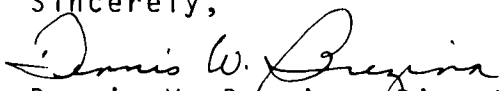
As promised, I am enclosing the two-year report (1996-1997) of Aluminum Anonymous, Inc., a national survey of **drinking while driving and riding**, which focuses on measuring the discard rate of beer cans/beer bottles from moving vehicles. The front side summarizes the initial 18-month, in-depth survey covering five mid-Atlantic states.

The poster side -- an **"American patchwork quilt"** of distinct yet similar patterns of interests and involvements -- portrays the national scope of Aluminum Anonymous, Inc., which has expanded to include:

1. Monitored roadsides in 22 Eastern states, covering 7,500 miles of roadways, 225 counties. Visits West ('98-'99).
2. Measured discard rates of beer cans/bottles (by one or more) across 27 states, including 7 Western states measured by others, 2 states visited/not measured, and anecdotal information on discard rates for other 21 states.
3. Responses from 32 Governors, high-level Federal executives, Congressional members, state legislators, Federal and state employees, mayors and the grassroots; an NBC "Nightly News" spot; as well as hundreds of interviews with local citizens regarding litter accumulation rates, clean ups, scavenging, etc.
4. **"Symbols of Hope"** displayed in every state.

Aluminum Anonymous, Inc., a non-profit corporation, will increase its survey efforts with an expanded grassroots network. It will sponsor **innovative projects** in alcohol abuse prevention, litter reduction, a **ban on "binge-friendly"** beer cans and beer bottles and other concerns that focus on in-vehicle alcohol consumption throughout America.

Sincerely,


Dennis W. Brezina, Director

Encl:

ALUMINUM ANONYMOUS: RESEARCH REPORT

Measuring the Incidence of Drinking While Driving/Riding

Maryland/Delaware/Pennsylvania/New Jersey/Virginia/Wash., DC

TWO-YEAR REPORT — 1996-1997

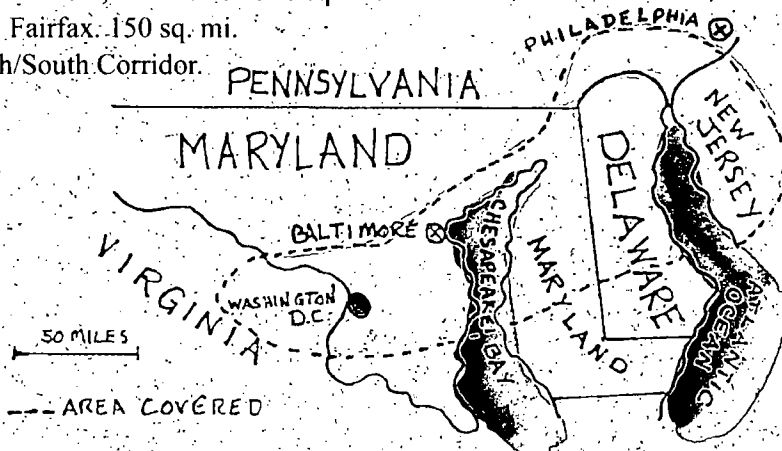


AREA COVERED:

MARYLAND	—	Nine Counties: Anne Arundel, Baltimore, Cecil, Harford, Howard, Kent, Montgomery, Prince George's, Queen Anne's. 3,000 sq. mi.
DELAWARE	—	Two Counties: New Castle, Kent. 1,250 sq. mi.
PENNSYLVANIA	—	Two Counties: Chester, Delaware. 200 sq. mi.
NEW JERSEY	—	Two Counties: Salem, Gloucester. 350 sq. mi.
VIRGINIA	—	One County: Fairfax. 150 sq. mi.
WASH., DC	—	Central North/South Corridor.

MILES OF ROADWAY:

MARYLAND	—	1,100
DELAWARE	—	750
PENNSYLVANIA	—	300
NEW JERSEY	—	300
VIRGINIA	—	200
WASH., DC	—	50



AVERAGE RATE OF BEER CONTAINER DISPOSAL FROM MOVING VEHICLES:

	MARYLAND	—	3.5 beer cans/mile of road/day 1.2 beer bottles/mile of road/day
	DELAWARE	—	4.1 beer cans/mile of road/day 1.0 beer bottles/mile of road/day
	PENNSYLVANIA	—	3.4 beer cans/mile of road/day 1.8 beer bottles/mile of road/day
	NEW JERSEY	—	2.9 beer cans/mile of road/day 1.7 beer bottles/mile of road/day
	VIRGINIA	—	2.6 beer cans/mile of road/day 1.5 beer bottles/mile of road/day
	WASH., DC	—	All-urban, unable to calculate

COUNTY-BY-COUNTY BEER CAN/BEER BOTTLE RATES (Per mile of road per day)

MD:		DE:	
Baltimore.....	5.6	New Castle.....	5.3
Prince George's.....	5.5	Kent.....	4.2
Anne Arundel.....	5.4	PA:	
Harford.....	5.0	Chester/Delaware.....	5.2
Montgomery.....	4.8	NJ:	
Cecil.....	4.6	Salem/Gloucester.....	4.6
Howard.....	3.3	VA:	
Kent.....	3.1	Fairfax.....	4.1
Queen Anne's.....	2.7	DC:	Could not calculate

NOTES:

Miles of roadway covered — 2,700. Number of roadways — 335. Area covered — 5,000 square miles. Miles walked — 1,000. Miles driven — 12,000. Number of collections — 2,150. Number of aluminum cans recycled — 65,000/2,300 lbs. (82 per cent beer cans). Number of SURVEY sites — 77 (1 to .25 miles in length; in a balanced variety of locations). Number of site sweeps — 441. Number of times each site swept — 3 to 13 times. Average interval between sweeps — 5 weeks. Time period of SURVEYS — Jan. 1, '96 - June 30, '97. Number of days collections/sweeps made ('96-'97) — 480. Discard rate of distilled liquor/wine bottles — .3/mile of road/day. Beer cans collected at SURVEY sites: MD — 7,290; DE — 4,726; PA — 320; NJ — 268; VA — 138. Mile days: MD — 2,111; DE — 1,161; PA — 95; NJ — 93; VA — 53. Beer bottles collected at SURVEY sites: MD — 2,036; DE — 772; PA — 171; NJ — 158; VA — 79. Mile days: MD — 1,748; DE — 805; PA — 95; NJ — 93; VA — 53. Beer can counting started Jan. 1, '96 for MD and DE; Dec. '96 for PA, NJ and VA. Beer bottle counting started July '96 for MD and DE; Dec. '96 for PA, NJ and VA.

82% of roadside cans are beer cans.
80% of roadside bottles are beer bottles.

CAN BREAKDOWN

ANHEUSER-BUSCH.....	45%
COORS.....	15
MILLERS.....	13
Other Breweries.....	9
Soda Cans.....	18
Total	100%

COMING: A NATIONAL PROGRAM TO REDUCE DRINKING WHILE DRIVING, DRINKING WHILE RIDING AND ROADSIDE LITTERING

ALUMINUM ANONYMOUS, INC.

P.O. Box 683, Chesapeake City, MD 21915, 1-800/440-1345.

ALUMINUM ANON' US: NATIONAL SURVEY OF INTEREST / INVOLVEMENT — 1996-1997

INTERCONNECTING ISSUES: Highway Traffic Safety; Alcohol Abuse Prevention; Juvenile Justice; Law Enforcement; Education; Recycling; Litter Reduction; Alcohol Sales, Advertising, Promotion, Regulation and Taxation; Corporate Accountability; and Citizen Action.



	I	II	III	IV		I	II	III	IV
ALABAMA	V 150	B	A,B4	G/3 L M C5	MONTANA	V*200	A	A,B3	/3 L M2 C3
ALASKA	NV 0	A	C3	G/4 C4	NEBRASKA	V*200	A	A,B3	G/3 C3
ARIZONA	V*300	A	C2	/4 L2 M C5	NEVADA	V*200	A	C3	G/2 C4
ARKANSAS	V*200	A	A,B3	/5 L C4	NEW HAMPSHIRE	V 225	C	A,B4	/5 L2 M C6
CALIFORNIA	V*500	C	A,B3	G/12 L3 M3 C29	NEW JERSEY	V 300	C	A,B4	G/5 L2 M C8
COLORADO	V*250	A	C3	G/3 L C5	NEW MEXICO	V*350	A	A,B3	G/6 L2 M C6
CONNECTICUT	V 250	C	B3	/5 L C7	NEW YORK	V 350	C	A,B3	G/7 L3 M C9
DELAWARE	V 750	C	A,B4	G/6 L2 M3 C13	NORTH CAROLINA	V 350	C	A,B4	G/5 L2 M C6
FLORIDA	V*400	C	C3	G/7 L3 M C13	NORTH DAKOTA	V*200	A	C2	G/2 C4
GEORGIA	V 200	C	A,B4	G/5 L2 M C6	OHIO	V 450	D	A,B4	G/7 L2 M2 C9
HAWAII	NV 0	A	C2	G/4 C4	OKLAHOMA	V*300	A	C4	G/3 L C6
IDAHO	V*200	A	C3	/2 M2 C4	OREGON	V*300	B	A,B2	G/6 L M C9
ILLINOIS	V*300	B	C3	G/9 L2 M C12	PENNSYLVANIA	V 300	C	A,B4	/6 L4 M2 C10
INDIANA	V 175	C	A,B3	G/8 L2 M C7	RHODE ISLAND	V 50	B	B4	G/3 L C5
IOWA	V*250	A	C3	/4 M3 C4	SOUTH CAROLINA	V 600	D	A,B4	G/9 L3 M2 C11
KANSAS	V*250	A	C3	/3 C5	SOUTH DAKOTA	V*200	A	C3	/2 C3
KENTUCKY	V 225	C	A,B4	/5 L M C6	TENNESSEE	V 300	C	A,B4	/4 L M C6
LOUISIANA	V*250	A	C4	/3 M C5	TEXAS	V*400	B	C3	G/7 L3 M5 C11
MAINE	V 175	B	A,B3	G/4 L C4	UTAH	V*300	A	C2	G/4 L M C3
MARYLAND	V 1100	D	A,B4	G/10 L14 M15 C29	VERMONT	V 300	C	A,B4	/3 L M C5
MASSACHUSETTS	V 325	C	A,B3	G/6 L3 M C11	VIRGINIA	V 400	C	A,B4	G/5 L2 M C9
MICHIGAN	V 300	C	A,B3	G/8 L2 M2 C10	WASHINGTON	V*250	B	A,B3	/8 L2 M4 C6
MINNESOTA	V*300	A	C2	/4 L3 M C6	WEST VIRGINIA	V 400	C	A,B3	G/5 L M C5
MISSISSIPPI	V*150	A	C3	/3 C4	WISCONSIN	V*300	A	C3	G/4 L2 M C6
MISSOURI	V*300	B	C3	G/3 L2 M C6	WYOMING	V*200	A	C3	/2 C2
FEDERAL GOV.		**		P/NP/46	WASH., DC	V 50	B	B2	M2 C3

**11 Foreign Countries (plus 3 reports)

LEGEND

I. Visited/Not Visited

V — visited in 96-97, miles of road monitored.

V* — to visit in 98-99, miles of road monitored.

NV — not visited (1996-1999).

II. "SYMBOLS OF HOPE" for reducing DRINKING WHILE DRIVING, DRINKING WHILE RIDING and ROADSIDE LITTERING. Butterflies, crafted from roadside beer cans, are recycled to the roadside and displayed.

A. 1 to 50

B. 51 to 100

C. 101 to 250

D. 251 and more

III. Roadside conditions re: discarded alcohol beverage containers.

A. Discard rate measured.

B. Condition of monitored roadways. (Weighted for pop. density, scavenging, etc.)

1. Clean 2. Moderately clean 3. Moderately glutted 4. Glutted

C. Anecdotal info. on roadside conditions. (1,2,3,4 - as above).

IV. Interest/involvement

G/ — Governor/State Employ.

L — Congress, State Leg., Leg. Comm.

M — Mayor, Cnty. Exec., Cnty. Employ.

C — Citizen or Citizen Group.

P/NP/ — Pres./Vice Pres./Fed. Employ.

ALUMINUM ANONYMOUS: RESEARCH REPORT

Measuring the Incidence of Drinking While Driving/Riding

Maryland/Delaware/Pennsylvania/New Jersey/Virginia/Wash., DC

TWO-YEAR REPORT — 1996-1997

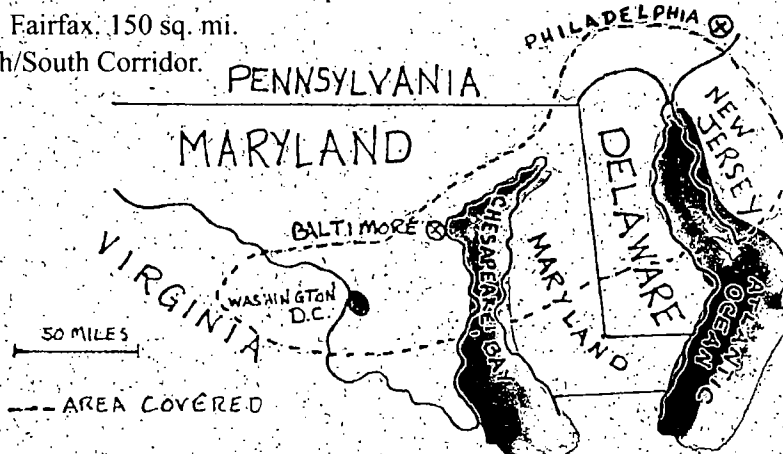


AREA COVERED:

MARYLAND	—	Nine Counties: Anne Arundel, Baltimore, Cecil, Harford, Howard, Kent, Montgomery, Prince George's, Queen Anne's. 3,000 sq. mi.
DELAWARE	—	Two Counties: New Castle, Kent. 1,250 sq. mi.
PENNSYLVANIA	—	Two Counties: Chester, Delaware. 200 sq. mi.
NEW JERSEY	—	Two Counties: Salem, Gloucester. 350 sq. mi.
VIRGINIA	—	One County: Fairfax. 150 sq. mi.
WASH., DC	—	Central North/South Corridor.

MILES OF ROADWAY:

MARYLAND	—	1,100
DELAWARE	—	750
PENNSYLVANIA	—	300
NEW JERSEY	—	300
VIRGINIA	—	200
WASH., DC	—	50



AVERAGE RATE OF BEER CONTAINER DISPOSAL FROM MOVING VEHICLES:

MARYLAND	—	3.5 beer cans/mile of road/day 1.2 beer bottles/mile of road/day
DELAWARE	—	4.1 beer cans/mile of road/day 1.0 beer bottles/mile of road/day
PENNSYLVANIA	—	3.4 beer cans/mile of road/day 1.8 beer bottles/mile of road/day
NEW JERSEY	—	2.9 beer cans/mile of road/day 1.7 beer bottles/mile of road/day
VIRGINIA	—	2.6 beer cans/mile of road/day 1.5 beer bottles/mile of road/day
WASH., DC	—	All-urban, unable to calculate

COUNTY-BY-COUNTY BEER CAN/BEER BOTTLE RATES (Per mile of road per day)

MD:		DE:	
Baltimore.....	5.6	New Castle.....	5.3
Prince George's.....	5.5	Kent.....	4.2
Anne Arundel.....	5.4	PA:	
Harford.....	5.0	Chester/Delaware.....	5.2
Montgomery.....	4.8	NJ:	
Cecil.....	4.6	Salem/Gloucester.....	4.6
Howard.....	3.3	VA:	
Kent.....	3.1	Fairfax.....	4.1
Queen Anne's.....	2.7	DC:	Could not calculate

NOTES:

Miles of roadway covered — 2,700. Number of roadways — 335. Area covered — 5,000 square miles. Miles walked — 1,000. Miles driven — 12,000. Number of collections — 2,150. Number of aluminum cans recycled — 65,000/2,300 lbs. (82 per cent beer cans). Number of SURVEY sites — 77 (1 to .25 miles in length; in a balanced variety of locations). Number of site sweeps — 441. Number of times each site swept — 3 to 13 times. Average interval between sweeps — 5 weeks. Time period of SURVEYS — Jan. 1, '96 - June 30, '97. Number of days collections/sweeps made ('96-'97) — 480. Discard rate of distilled liquor/wine bottles — .3/mile of road/day. Beer cans collected at SURVEY sites: MD — 7,290; DE — 4,726; PA — 320; NJ — 268; VA — 138. Mile days: MD — 2,111; DE — 1,161; PA — 95; NJ — 93; VA — 53. Beer bottles collected at SURVEY sites: MD — 2,036; DE — 772; PA — 171; NJ — 158; VA — 79. Mile days: MD — 1,748; DE — 805; PA — 95; NJ — 93; VA — 53. Beer can counting started Jan. 1, '96 for MD and DE; Dec. '96 for PA, NJ and VA. Beer bottle counting started July '96 for MD and DE; Dec. '96 for PA, NJ and VA.

82% of roadside cans are beer cans
80% of roadside bottles are beer bottles

CAN BREAKDOWN

ANHEUSER-BUSCH.....	45%
COORS.....	15
MILLERS.....	13
Other Breweries.....	9
Soda Cans.....	18

Total 100%

COMING: A NATIONAL PROGRAM TO REDUCE DRINKING WHILE DRIVING, DRINKING WHILE RIDING AND ROADSIDE LITTERING

ALUMINUM ANONYMOUS, INC.

P.O. Box 683, Chesapeake City, MD 21915, 1-800/440-1345

ALUMINUM ANONYMOUS: NATIONAL SURVEY OF INTEREST / INVOLVEMENT — 1996-1997

INTERCONNECTING ISSUES: Highway Traffic Safety; Alcohol Abuse Prevention; Juvenile Justice; Law Enforcement; Education; Recycling; Litter Reduction; Alcohol Sales, Advertising, Promotion, Regulation and Taxation; Corporate Accountability; and Citizen Action.



	I	II	III	IV		I	II	III	IV
ALABAMA	V 150	B	A,B4	G/3 L M C5	MONTANA	V*200	A	A,B3	/3 L M2 C3
ALASKA	NV 0	A	C3	G/4 C4	NEBRASKA	V*200	A	A,B3	G/3 C3
ARIZONA	V*300	A	C2	/4 L2 M C5	NEVADA	V*200	A	C3	G/2 C4
ARKANSAS	V*200	A	A,B3	/5 L C4	NEW HAMPSHIRE	V 225	C	A,B4	/5 L2 M C6
CALIFORNIA	V*500	C	A,B3	G/12 L3 M3 C29	NEW JERSEY	V 300	C	A,B4	G/5 L2 M C8
COLORADO	V*250	A	C3	G/3 L C5	NEW MEXICO	V*350	A	A,B3	G/6 L2 M C6
CONNECTICUT	V 250	C	B3	/5 L C7	NEW YORK	V 350	C	A,B3	G/7 L3 M C9
DELAWARE	V 750	C	A,B4	G/6 L2 M3 C13	NORTH CAROLINA	V 350	C	A,B4	G/5 L2 M C6
FLORIDA	V*400	C	C3	G/7 L3 M C13	NORTH DAKOTA	V*200	A	C2	G/2 C4
GEORGIA	V 200	C	A,B4	G/5 L2 M C6	OHIO	V 450	D	A,B4	G/7 L2 M2 C9
HAWAII	NV 0	A	C2	G/4 C4	OKLAHOMA	V*300	A	C4	G/3 L C6
IDAHO	V*200	A	C3	/2 M2 C4	OREGON	V*300	B	A,B2	G/6 L M C9
ILLINOIS	V*300	B	C3	G/9 L2 M C12	PENNSYLVANIA	V 300	C	A,B4	/6 L4 M2 C10
INDIANA	V 175	C	A,B3	G/8 L2 M C7	RHODE ISLAND	V 50	B	B4	G/3 L C5
IOWA	V*250	A	C3	/4 M3 C4	SOUTH CAROLINA	V 600	D	A,B4	G/9 L3 M2 C11
KANSAS	V*250	A	C3	/3 C5	SOUTH DAKOTA	V*200	A	C3	/2 C3
KENTUCKY	V 225	C	A,B4	/5 L M C6	TENNESSEE	V 300	C	A,B4	/4 L M C6
LOUISIANA	V*250	A	C4	/3 M C5	TEXAS	V*400	B	C3	G/7 L3 M5 C11
MAINE	V 175	B	A,B3	G/4 L C4	UTAH	V*300	A	C2	G/4 L M C3
MARYLAND	V1100	D	A,B4	G/10 L14 M15 C29	VERMONT	V 300	C	A,B4	/3 L M C5
MASSACHUSETTS	V 325	C	A,B3	G/6 L3 M C11	VIRGINIA	V 400	C	A,B4	G/5 L2 M C9
MICHIGAN	V 300	C	A,B3	G/8 L2 M2 C10	WASHINGTON	V*250	B	A,B3	/8 L2 M4 C6
MINNESOTA	V*300	A	C2	/4 L3 M C6	WEST VIRGINIA	V 400	C	A,B3	G/5 L M C5
MISSISSIPPI	V*150	A	C3	/3 C4	WISCONSIN	V*300	A	C3	G/4 L2 M C6
MISSOURI	V*300	B	C3	G/3 L2 M C6	WYOMING	V*200	A	C3	/2 C2
FEDERAL GOV.		**		P/NP/46	WASH., DC	V 50	B	B2	M2 C3

**11 Foreign Countries (plus 3 reports)

LEGEND

I. Visited/Not Visited

V — visited in 96-97, miles of road monitored.

V* — to visit in 98-99, miles of road monitored.

NV — not visited (1996-1999).

II. "SYMBOLS OF HOPE" for reducing DRINKING WHILE DRIVING, DRINKING WHILE RIDING and ROADSIDE LITTERING. Butterflies, crafted from roadside beer cans, are recycled to the roadside and displayed.

A. 1 to 50

B. 51 to 100

C. 101 to 250

D. 251 and more

III. Roadside conditions re: discarded alcohol beverage containers.

A. Discard rate measured.

B. Condition of monitored roadways. (Weighted for pop. density, scavenging, etc.)

1. Clean 2. Moderately clean 3. Moderately cluttered 4. Cluttered

C. Anecdotal info. on roadside conditions. (1,2,3,4 - as above).

IV. Interest/involvement

G/ — Governor/State Employ.

L — Congress, State Leg., Leg. Comm.

M — Mayor, Cnty. Exec., Cnty. Employ.

C — Citizen or Citizen Group.

P/NP/ — Pres./Vice Pres./Fed. Employ.

