

# DRINKING DRIVERS ARE GETTING AWAY WITH MURDER!

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*Experts can spot a deadly drunk—yet laws still free him*

**L**AST YEAR an estimated 15,000 people were killed and 800,000 injured by drinking drivers. Yet in all but four of our states, unrealistic laws have permitted nearly three-fourths of these drivers to kill without suffering legal penalties. The situation is deplorable. Something drastic must be done soon!

In my home town of Denver, a man whose blood-alcohol tested .20 percent in a chemical analysis struck another car and killed both its occupants. After a year of legal sparring, he was acquitted by a jury because his lawyer cast doubt upon the technical competence of the police chemist. Such things shouldn't happen, yet they do almost daily.

Most states have laws reading something like this: "Any person under the influence of intoxicating liquor or narcotics who drives any vehicle upon any highway...shall be guilty of a misdemeanor..."

The crucial phrase is "under the influence." When is a driver "under the influence"? How many drinks does it take to make him dangerous?

Somehow, the figure of .15 percent alcohol content in the blood has become ingrained as the edge of intoxication, although it has been proved scientifically that a much lower blood-alcohol content impairs the acuity needed to operate a car safely. Even so, only four states—New York, Kansas, Idaho, and Utah—have laws requiring chemical tests of drivers involved in accidents upon penalty of losing their licenses if they refuse.

Dr. Herman Heise of Milwaukee has made extensive studies of the effects of alcohol. In one study, he gave a group of drivers five ounces of whiskey; in no instance did the blood-alcohol percentage exceed .10. Dr. Heise reported: "With no exception, these subjects were able to pass creditably the ordinary tests used to determine drunkenness and perform adequately routine actions of driving."

"However, there was a definite variation from the normal in actions that had not become a habit, such as avoiding obstacles placed in the road, backing the

car, and substituting an unusual action for the one normally used. Reaction times were somewhat increased, and all subjects lacked appreciation of changes in judgment and motor control."

This might be the man approaching you on the highway today. Legally, he isn't "under the influence." But he would be a bad risk, indeed, in an emergency situation.

Numerous other studies have borne out Dr. Heise's conclusions. The Holcomb study in Evanston, Ill., showed that casualty risks began increasing at an alcohol concentration of .05 to .06 percent.

Despite such evidence, highway safety statistics have consistently hidden behind this .15 percent figure in assessing sobriety. The latest National Safety Council figures show that 21 percent of the drivers involved in fatal accidents had been drinking—a figure even council officials admit is low because of the way individual states report their statistics. In contrast, council investigations into holiday accidents show that more than half of the fatalities involve drinking drivers.

What can we do about it? Plenty. For example, I suggest these four simple steps which, if adopted by every state in the nation, would drastically cut highway accidents caused by drinking drivers:

1. We must have legislation which makes it specifically illegal to drive with a blood-alcohol level of .05 percent or more.

2. We should have an "intermediate offense law" which carries an automatic penalty for any driver—whether or not he has been involved in an accident—who has a blood-alcohol level of .05 percent or greater. The new intermediate law with certainty of conviction would make most drivers think twice before taking that second drink.

3. A blood-alcohol test (known as "implied consent" in the four states which now have it) should be mandatory in every traffic accident. The results of this test should be admissible and incontrovertible in court. It can be made easily and accurately.

4. There should be a mandatory jail sentence for all drivers found "under the influence," with no plea of extenuating circumstances permissible.

**T**HE PURPOSE of legislation embracing these four points would be preventive, not punitive. Only by convincing drivers that they will have the book thrown at them if they drink can we get at the evil.

Just a few police patrol cars, equipped with portable kits for the analysis of alcohol on the breath—plus the assurance of an automatic jail sentence for drinking drivers—could dissuade a good many millions of people from drinking before driving.

Education, of course, also is needed. One excellent educational tool is the newly released cartoon film, "Stop Driving Us Crazy," produced by the Methodist Church. It deals with the problem on ethical and moral grounds without being "preachy."

But, in the end, responsibility is a personal thing. Remember, the next-time you have two drinks you are not capable of operating a motor car safely, no matter how sober you think you are.

We've been kidding ourselves for years about the seriousness of drunken driving. We can't solve it with new safety slogans or padded statistics. We can solve it only by getting tough with the drunks. And we'd better start doing it soon.



## COVER:

Heavyweight boxing champion Ingemar Johansson is snapped by Jerry Ylesman in New York's exclusive Gaslight Club, where Ingo samples the orange juice. To find out "What Makes Ingo Run," see p. 6.

## Family Weekly

March 13, 1960

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