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# *Public Hearing*

before

## SENATE EDUCATION COMMITTEE

*"Testimony from invited members of the higher education and law enforcement communities, and other stakeholders on policies and procedures to curb underage drinking on college campuses"*

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**LOCATION:** Committee Room 1  
State House Annex  
Trenton, New Jersey

**DATE:** November 17, 2008  
10:00 a.m.

**MEMBERS OF COMMITTEE PRESENT:**

Senator Shirley K. Turner, Chair  
Senator James Whelan  
Senator Christopher "Kip" Bateman



**ALSO PRESENT:**

Anita M. Saynisch  
Sarah B. Haimowitz  
*Office of Legislative Services  
Committee Aides*

Jacqueline Burke  
*Senate Majority  
Committee Aide*

Christine Shipley  
*Senate Republican  
Committee Aide*

***Hearing Recorded and Transcribed by  
The Office of Legislative Services, Public Information Office,  
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey***

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## TABLE OF CONTENTS

	<u>Page</u>
Senate President Richard J. Codey District 27	3
Mindy Lazar Executive Director Mothers Against Drunk Driving New Jersey	6
John M. McCardell Jr., Ph.D. President Emeritus Middlebury College, and Founder and President Choose Responsibility, and Co-Author Amethyst Initiative	10
Pam Fischer Director Division of Highway Traffic Safety Office of the Attorney General New Jersey Department of Law and Public Safety, and Co-Founder NJ21 Coalition	20
Jerry Fischer Director Division of Alcoholic Beverage Control Office of the Attorney General New Jersey Department of Law and Public Safety, and Co-Founder NJ21 Coalition	23
Jane Oates Executive Director New Jersey Commission on Higher Education	26
Peter P. Mercer, Ph.D. President Ramapo College of New Jersey	31

## TABLE OF CONTENTS (continued)

	<u>Page</u>
Pamela M. Bischoff, Ed.D. Vice President Student Affairs Ramapo College of New Jersey	37
Paul G. Gaffney II President Monmouth University	37
Gregory S. Blimling, Ph.D. Vice President Student Affairs Rutgers, The State University of New Jersey	47
Carmen A. Jordan-Cox, Ph.D. Vice President Student Affairs Rowan University	52
Karen L. Pennington, Ph.D. Vice President Student Affairs Student Development and Campus Life Montclair State University	61
Glenn M. Miller Chief of Police Richard Stockton College of New Jersey, and Member Executive Board New Jersey College and University Public Safety Association	65
Vincent Markowski Director Public Safety Department Ramapo College of New Jersey	69
Paul Cell Chief of Police Montclair State University	70

## TABLE OF CONTENTS (continued)

	<b><u>Page</u></b>
Diane Litterer Executive Director New Jersey Prevention Network	75
<b>APPENDIX:</b>	
Background on NJ21 Coalition, plus attachments submitted by Pam Fischer	1x
Division of Alcoholic Beverage Control Initiatives submitted by Jerry Fischer	5x
Testimony submitted by Jane Oates	7x
Outline, plus articles submitted by Peter P. Mercer, Ph.D.	9x
Testimony submitted by Paul G. Gaffney II	15x
Testimony submitted by Gregory S. Blimling, Ph.D.	21x
Testimony, plus attachments submitted by Carmen A. Jordan-Cox, Ph.D.	26x
Alcohol Use on Campus: Policy, Enforcement, and Education submitted by Karen L. Pennington, Ph.D.	74x

## **TABLE OF CONTENTS (continued)**

### **APPENDIX (continued):**

	<b><u>Page</u></b>
Testimony submitted by Glenn M. Miller	75x
Testimony, plus attachments submitted by Diane Litterer	78x
rs: 1-79	

**SENATOR SHIRLEY K. TURNER (Chair):** Good morning and welcome to the Senate Education hearing on underage and binge drinking, particularly at our State's colleges.

Senator Codey, Dr. McCardell, Executive Director Oates, and all of our distinguished guests, I'd like to thank you for taking time out of your busy schedules to be here with us today as we discuss a matter that is of life or death importance to New Jersey's students at our institutions of higher learning.

For many students, college is a time of self-discovery. For many of them, they have never been away from home for extended periods of time. Many have never known such a high level of personal responsibility without the immediate support of parents and family members to back them up.

These students will make mistakes, trust me. They'll oversleep for an early class, they'll forget to do an important assignment, or they'll eat too much junk food and not enough vegetables from the campus cafeteria. These mistakes are all part of campus life and play an important role in the personal growth that we all go through when we're out on our own for the first time.

However, while we need to give our college students the freedom to make and learn from the innocent mistakes associated with growing up, we cannot allow them to make life-changing and potentially lethal mistakes while under the influence of alcohol.

The statistics are startling. According to a study conducted by the National Institute of Alcohol Abuse and Alcoholism, 1,700 college students die every year from unintentional injuries related to alcohol use, a

majority of which occur in motor vehicle accidents. Nearly one in three college students qualify for a medical diagnosis of alcohol abuse at one point in their college years, three in five college students can be considered frequent binge drinkers, and one in 17 college students qualify for a medical diagnosis of alcohol dependence.

In recent years, we've seen our fair share of local tragedy associated with underage drinking at New Jersey's institutes of higher education. We need to take immediate action before one more promising young life is cut short due to the lapse in judgement associated with alcohol use. We need to look at the current alcohol policies on the books at colleges within New Jersey and share our best practices between institutions to discourage alcohol abuse, particularly by those under the legal age of drinking.

On a side note, I know that one of the proposals being discussed and pushed to limit binge drinking on the national level, the Amethyst Initiative, would lower the drinking age to 18. While we want to remain open-minded about all proposals to keep college students safe, I do not want this hearing to devolve into a debate on the merits or pitfalls of the current legal drinking age.

The fact of the matter is, New Jersey's eligibility for Federal transportation dollars is linked, for better or for worse, with the law stating you must be at least 21 years old to drink. Absent a change on the Federal level, New Jersey can't do much about lowering the drinking age without jeopardizing billions in Federal transportation funding dollars.

We need to develop real solutions to real problems of underage and binge drinking on New Jersey's college campuses.

And with that, I'd like to invite Governor Richard J. Codey to make his comments to the Committee. He has been in the forefront of this issue.

**SENATE PRESIDENT RICHARD J. CODEY:**

Thank you very much, Chairwoman Turner, members of the Committee, for convening this very important meeting.

When this initiative first gained attention this Summer, my first reaction was, "This is crazy. We just can't throw in the towel." But in retrospect, it has helped spark a debate on a subject that you've all been well aware of, but one we just never decided to look into. Let me make it clear, we're not here to debate whether or not we should lower the drinking age. I can tell you right now, that's not going to happen. But we are here to save lives and make campuses safer for all of our students.

Now listen, my head is not buried in the sand. I know what goes on in college. I have one son who is a sophomore and another one who graduated not too long ago. The statistics speak for themselves, as the Chairwoman said: 1,700 college students die unintentionally from alcohol-related injuries. Roughly 97,000 are assaulted or raped, and 600,000 are injured. Sadly, another New Jersey teen, from the University of Delaware, was just added to that death statistic. And as you all know, we've had a number of tragic incidents at our own State colleges, most recently at Rider University and at the College of New Jersey.

You know, students are under enormous pressure in college, both to fit in and to excel. At times, I'm sure, they feel pressured to engage in underage and binge drinking. I know we're not going to eradicate the

dangerous habits entirely, but I do know we need to find a workable approach to this issue.

Maybe it needs to be a combination of tough love and better education. Perhaps we need to explore the best practices in place today and institute a uniform policy across all New Jersey college campuses. Most importantly, students need to know we're not going to turn a blind eye to the issue. They also need to be taught the cold, hard facts. Drinking, particularly binge drinking, does and will kill.

Perhaps we need to do a better job of showing the students the cold, hard reality of this abuse. The student who dies from alcohol poisoning, the one who gets hit by a car stumbling home, the one who falls down the stairs and breaks his neck, or the many others who have been raped or assaulted-- We all know what it's like to be that age. You feel infallible. Now, you add alcohol to that equation and you feel almost superhuman.

I think we need to find a way to effectively use these examples to educate students so that out of these tragedies lives can be saved. The victims of alcohol abuse are not just the drinker themselves, they are also innocent private citizens and other people on campus who simply aren't drinking. But they find themselves in the wrong place at the wrong time. And those students who we can't reach through education need to know they're not going to get away with just a slap on the wrist. They need to know that their parents are going to be notified and that they may face substantial penalties, both academic and punitive.

Listen, I'm not out to punish our students. It's my hope that stricter policies will help deter irresponsible and dangerous behavior.

After looking over the different policies for each college campus, it's clear that there is no uniform response to this issue. Some colleges don't require parental notification. I know that each college is unique, but the problem of underage drinking and binge drinking is universal. And we need an approach that reflects just that, one that involves parents, school officials, law enforcement officials, and alcohol retailers.

We send our kids off to college to pave the way for a brighter future. It is our responsibility to protect them from the temptations that lie along this path, and that requires a full-court press.

It is my sincere hope that through discussion and analysis today, we can get a clear picture of what is working on our college campuses, and the strengths and weaknesses of the different policies in place. If this hearing today turns out to be the impetus that brings our colleges together to share ideas and establish a set of guidelines that we can use to combat underage and binge drinking, then this hearing today will have been a huge success.

Thank you for your time.

Any questions, Madam Chairwoman?

SENATOR TURNER: Thank you very much, Governor Codey.

Any questions from members of the Committee? (no response)

I thank you so very much for your very enlightening testimony.

SENATE PRESIDENT CODEY: Thank you.

SENATOR TURNER: Thank you.

We'll now here from Ms. Mindy Lazar, Executive Director of MADD New Jersey.

Would you repeat your name, please?

**M I N D Y L A Z A R:** My name is Mindy Lazar. I'm the State Executive Director for Mothers Against Drunk Driving.

**SENATOR TURNER:** Thank you.

**MS. LAZAR:** Thank you, Chairwoman Shirley Turner and the members of the Senate Education Committee, for allowing me the opportunity to testify before you today.

As I said, my name is Mindy Lazar. I'm the State Executive Director for Mothers Against Drunk Driving New Jersey.

I come here today on behalf of MADD to express strong support of the 21 minimum drinking age to the State Education Committee, to the New Jersey Legislature, and the people of New Jersey. MADD stands strong with members of our law enforcement community in its efforts to enforce the 21 drinking age. We look forward to working with colleges and universities, high schools, and elementary schools throughout New Jersey in upholding this law and protecting our young people. Let me be clear, MADD does not oppose responsible drinking by those 21 and older.

I would also like to mention that MADD has embarked on an ambitious campaign called the Campaign to Eliminate Drunk Driving. The Campaign has four prongs: support high-visibility law enforcement; support for ignition interlock devices for all convicted drunk drivers; support for new, advanced technologies that will someday separate the impaired driver from his or her vehicle; and grassroots support for our initiative.

I would also like to point out that in New Jersey, MADD is advocating for legislation entitled Ricci's Law, requiring ignition interlocks for all convicted drunk drivers.

It should be noted that it is not just MADD who supports the 21 drinking age and the sound science behind this law. Groups in support of the 21 drinking age include the American Medical Association, the National Transportation Safety Board, the American Academy of Pediatrics, the Center for Science in the Public Interest, the Insurance Institute for Highway Safety, and our nation's Surgeon General.

Lowering the drinking age is a bad idea. A report issued by the National Highway Traffic Safety Administration estimates that 4,400 lives have been saved by the 21 drinking age in the last five years. It further states that 25,000 lives have been saved since 1984, when this Federal law was enacted. In 2007, an estimated 826 lives were saved by minimum drinking laws.

Any attempt to lower the drinking age would hurt these efforts and send our young people the wrong message. It is disturbing that some groups are attempting to cloud and fuzzy the science behind this law. The science is clear. The data and the results are clear as well.

Twenty-one saves lives: A lowered drinking age would increase underage drinking, add to underage drinking fatalities, and binge drinking, and roll back one of the most studied and proven health policies in the United States. It would push the problem of binge drinking from college presidents to high school principals. The 21 drinking age law is one of the most proven, most studied, most successful public health laws in the United States.

The Centers for Disease Control looked at all of the high-quality peer-reviewed studies on drinking ages and found lowering the drinking age would equal a fatal crash increase of 10 percent, increasing the

drinking age to 21 equaled a fatal crash decrease of 16 percent. Another study in 2002 looked at all research from 1960 to 2000, when states lowered and then raised their drinking age laws. Every single one of the 46 high-quality studies found that the 21 minimum drinking age saves lives.

The 21 drinking age also is proven to prevent binge drinking. In the 2002 study, they reviewed 11 quality studies and found that the 21 drinking age law reduces consumption. A 1980 study found that the states with lower drinking ages had young people who drank more and were drunk more often. Further studies have found that the 21 drinking age law causes those under 21 to drink less and continue to drink less throughout their 20s.

Besides reducing binge drinking and drunk driving among 18- to 20-year-olds, the 21 drinking age also reduces nontraffic death and injury. Enactment of the 21 drinking age is linked to a decrease in homicides, the 21 drinking age is linked to a decrease in suicides. It is also linked to a decrease in other, unintentional injuries. With the 21 drinking age, nontraffic alcohol-related injuries fell at the same rate as traffic alcohol-related injuries.

What can the State and community do to cut down on underage drinking? While we know the science behind this law is without question, there are things we can do to improve this law. New Jersey needs to enact policies that limit access to alcohol. Twenty-one as the minimum drinking age should mean 21 is the earliest you can drink alcohol, and if you are caught drinking alcohol, you will be penalized. If an establishment is caught selling alcohol to minors, the seller and the establishment should be penalized as well.

The State of New Jersey should strengthen the laws and hold accountable those who hold private parties and provide alcohol to minors. This is known as the *social host* law. In communities throughout the nation, it is greeted with open arms and it is successful. Throughout the United States, MADD is advocating for social host laws on a town, city, or statewide level.

It is time for the higher education community to step up to the plate. There must be consistent enforcement on college and university campuses, and the communities encompassing them, of the 21 drinking age. There needs to be better control of access to alcohol in colleges. Universities need to do a better job in obtaining a greater understanding of the impacts of underage drinking, such as the impacts on the brain.

MADD firmly believes that the 21 drinking age can be more effective if parents get involved and discuss the dangers of the 21 drinking age well before they (*sic*) turn 18 and well before college. Colleges need to look at the successes of other colleges on what has worked and what has not in terms of enforcing the 21 drinking law.

In conclusion, while there are serious problems in our nation with regard to underage drinking, the answer is not to lower the drinking age. Those over 21 must not provide alcohol to underage drinkers. College and university presidents need to get tough on students who break the law and drink underage.

MADD believes 21 has become an imperfect success. It is the time to renew our commitment to 21, and MADD urges support from the members of the State Education Committee, and members of the higher education community as well. We must protect our young people.

Thank you.

SENATOR TURNER: Thank you very much.

Any questions from members of the Committee? (no response)

Thank you very much.

Dr. John McCardell, the Amethyst Initiative.

Thank you for joining us here today.

Would you repeat your name please?

**J O H N M. M c C A R D E L L J R., Ph.D.:** My name is John McCardell.

SENATOR TURNER: Would you hit your red button please?  
(referring to PA microphone)

DR. McCARDELL: This one?

Is that it? (affirmative responses)

My name is John McCardell. I served as President of Middlebury College in Vermont from 1991 until 2004. I've been a member of the Middlebury faculty since 1976. I'm a parent of two sons, now age 22 and 26. I'm founder of Choose Responsibility and co-author of the Amethyst Initiative, signed by 134 college and university presidents and chancellors across the country, an initiative which calls not for lowering the drinking age, but for a serious public debate over how well we've been served by the drinking age.

I can claim no professional expertise on the subject of binge drinking. But I can claim to know a great deal about the lives students lead on our college campuses. And as an historian by training, I can also claim an ability to critically analyze evidence produced as a result of scholarly research.

I thank you very much for the opportunity to testify today.

I'd like to make several points in the brief time that I have with you. First, the current law is very clear. One may not purchase, possess, or consume alcohol under the age of 21. Next, the current law, if it means what it says, imposes total prohibition on young adults between the ages of 18 and 20. Third, the current law thus limits college and university officials, if they mean to observe the law, to one and only one position: abstinence only. Next, one is an adult in the eyes of the law at age 18. Next, the current law is being routinely evaded. Next, a culture of clandestine, goal-oriented, health- and life-threatening binge drinking persists among young adults. And finally, there are far more effective ways to deal with the reality of the presence of alcohol in the lives of young adults age 18 to 20.

The first point requires little additional elaboration. Since 1984, we've had, in effect, a national drinking age of 21. The Constitution, however, is clear about where the right to set the drinking age exclusively resides, and that is with the states. The 1984 law skirts the constitutional question by allowing the states to set the age where they choose. However, any state setting the age lower than 21 forfeits 10 percent of its Federal highway appropriation. This condition has effectively stifled debate on the state level for almost a quarter of a century. If this 10 percent condition were to be removed, the states would have restored to them, unimpeded, a basic constitutional right. The Federal government could no longer coerce a state into doing something the state wished not to do. That means the Federal government could not require a state to lower its drinking age or to raise it. Nor could one state impose such a requirement on another state.

New Jersey could set its drinking age wherever it chose. Neither another state, nor the Federal government, could dictate to New Jersey what was best for New Jersey.

The second point requires even less elaboration. The law does not say those under 21 may drink occasionally, or in moderation, or responsibly. It says they may not drink. States are allowed to make certain precisely defined exceptions, which New Jersey has done. But to most young adults in most of the country, this law looks very much like prohibition.

The third point logically follows from the first two. Those who would observe the law, and those who would instruct others in its observance, have but one position they can take. That position is abstinence only. Parents, employers, college officials, anyone in a position of authority cannot, without countenancing violation of the law, advocate any policy other than abstinence -- total abstinence -- for that is what the law says.

We begin to see the dilemma this law creates, especially in the face of other laws -- all other laws -- that make 18 the age of majority. The Constitution is very clear on this point too. The right of a citizen age 18 to vote "shall not be abridged on account of age." These are the words of the 26th Amendment enacted in 1971. During the 1970s, states brought their other laws largely into harmony with this constitutional provision. Today, the age of majority in New Jersey, as in all other states, is 18. That means that at age 18, one can, for example, serve on a jury, sign a contract, be responsible for one's debts. And of course, we know at age 18 one is able to

put one's life on the line in the service of country. One may do all these things, but one may not buy a beer.

Young adults find this single exception impossible to understand, for they have no idea where 21 comes from. To young adults today, 21 seems arbitrary, and the explanations offered in support of it -- that they lack judgement, that they lack maturity -- at the very least call into question why they are deemed capable of exercising all other adult responsibilities. And so that is the fourth point: that at 18 one is considered, in the eyes of the law, an adult.

Thus the dilemma posed by current law, which leads to, and may begin to explain, the next point: that the current law prescribing a 21-year-old drinking age is being routinely evaded. I will lay aside for the moment the reasons why that might be the case, but I must insist that it is, undeniably, the case.

And I offer the following statistics as evidence: 95 percent of those who will be alcohol consumers in their lifetime take their first drink before the age of 21. That's right, 95 percent. Fifty percent of 18- to 20-year-olds consume alcohol regularly. Seventy-five percent of high school seniors, 60 percent of high school sophomores, 40 percent of eighth graders have consumed alcohol. Five thousand lives, according to the NIAAA, are lost to alcohol each year by those under the age of 21. Of these, fewer than 40 percent are in traffic fatalities. That means the vast majority, over 60 percent, of alcohol-related fatalities take place off the roadways.

Now, these are national figures. New Jersey figures are no more encouraging: 88.2 percent of New Jersey high school seniors, 71.7 percent of high school freshmen have had more than a sip of alcohol in their

lifetime; 20.1 percent of New Jersey high school students report they had their first drink before age 13; 62.4 percent of New Jersey high school students have had one drink or more in the last 30 days, the rate for freshmen is 35.5 percent; 42 percent of New Jersey high school seniors have binge drunk in the last 30 days, the rate for freshmen is 17.6 percent.

What might we conclude? Certainly not that current laws are working very effectively. But more to the point of today's hearing, how can anyone plausibly charge college presidents with the task of enforcing the law when it is so abundantly clear that the law has proven so unenforceable before these young people even reach our campus? Presidents are inheriting a situation for which, dare I say it, all of us in the room -- and perhaps least of all college presidents -- are responsible and yet which, somehow, presidents alone are miraculously expected to address, while the only legal position open to us is to proclaim the message of abstinence. Something, somehow, doesn't fit. And blaming presidents for what is clearly a societal failure may be convenient, but it doesn't do much to solve the problem. And yet, presidents do their best and try their hardest. They limit quantities, they bracelet those of drinking age, they cordon off areas of campus, they post extra security, some even declare their campuses dry.

Once again, some statistics: Among college students, a decade's worth of research in the College Alcohol Study found both the proportion of students abstaining and the proportion of students engaging in frequent binge drinking had increased. Furthermore, as compared to 1993, more 18- to 24-year-old students who chose to drink in 2001 were drinking excessively, as defined by frequency of drinking occasions, frequency of drunkenness, and drinking to get drunk. College students experienced a

nearly 10 percent increase in the rate of drinking to get drunk between 1993 and 2001, which corresponded to an increase in secondary consequences and treatment for alcohol overdoses. National estimates suggest that among full-time college students, 690,000 are involved in assaults, 97,000 are involved in rapes, and 599,000 are injured as a result of alcohol.

Where do we suppose this behavior is taking place? And why? It is not taking place in the public places or in public view, for the law has effectively banished alcohol consumption from those venues. Where then does that leave? It leaves the very sort of clandestine places -- locked dorm rooms, off-campus apartments, farmers' fields -- where, in fact, drinking does take place, usually beyond the view and also beyond the authority of college officials; behind closed doors, underground, just like in the days of prohibition.

Loved ones in this state still mourn the death of Brett Griffin, age 18, of South Brunswick, New Jersey, a freshman at the University of Delaware, who died earlier this month of alcohol poisoning in just such a clandestine, off-campus setting.

Dare we contemplate there might be a better way without being shouted down? Dare we consider everything our laws and policies have wrought, intended and unintended? Dare we acknowledge that lives lost to alcohol in the dark shadows cast by the law are no less precious and are increasingly more numerous than those lost on the highways?

Let me remind you once again, considerably more lives -- indeed, more than 60 percent of the total number of lives lost to alcohol by those under the age of 21 -- are lost off the roadways. We cannot measure

the success of the current law simply by counting the number of lives lost in alcohol-related traffic accidents. Alcohol takes a much greater toll off the highways.

Moreover, the process by which alcohol-related traffic fatalities are counted, and the number of lives saved estimated, needs also to be questioned. Please ask someone who testifies today as an expert on these matters to explain two things to you. First, is the estimated number of lives saved 18- to 20-year-olds only, or all age groups? The answer may surprise you. Second, ask that same person to explain to you what the term *imputation* means. That answer, too, may surprise you. You will discover that the number of actual reported fatalities is rather significantly inflated through a formula that assumes that the number reported is too low.

If the drinking age is the best way to eliminate drunken driving, why stop at 21? In fact, there are more effective ways to target and eliminate drunken driving without discriminating against an entire category of adult citizens on the basis of age. It should be made mandatory that ignition interlocks be installed in the vehicles of every person, regardless of age, who is a first-time DUI offender. If a drunk's car won't start, the drunk menace on our roadways is effectively eliminated. My organization, Choose Responsibility, unequivocally supports such a policy, which this Legislature could enact immediately when it next convenes.

Finally -- and this gets us back to the heart of the matter -- how can anyone look at the present state of things and plausibly argue that the current law is working, that the status quo is satisfactory, and that those who even suggest that things might be changed for the better are putting lives at risk? Lives today, in increasing numbers, are being put at risk. And

how can anyone plausibly argue that the drinking age has nothing -- nothing whatsoever -- to do with our current situation?

There is, in fact, a better way. And that way begins with education, comprehensive alcohol education, education that is more than temperance lectures and scare tactics, education that prepares young adults to make responsible decisions about alcohol.

Imagine saying to a young person upon reaching legal driving age, "Here are the keys, there is the car. Good luck trying to figure out how to operate a 2,000 pound machine capable of going 90 miles an hour. All I can do is lecture you and show you some scary videos. If I were to get in the vehicle with you, and help you learn how to operate it, you and I would both be arrested, and our State would forfeit 10 percent of its Federal highway funds. So good luck. Maybe your friends can help you learn to be a safe driver."

That, of course, is a ridiculous scenario, and yet it describes our approach to alcohol education today. Isn't it strange that alcohol education is mandatory only after one has been convicted of DUI, and that among those providing it are representatives of organizations who are on record as believing that education doesn't work? We need to prepare young adults to make responsible decisions about alcohol in the same way we prepare them to operate a motor vehicle, through a partnership of home, school, and government. And there are models for how that might be done now in development.

And then, when one completes high school, one should receive a permit or license which would attest to several things. First, that the holder had observed the alcohol laws of the issuing state up to that point,

meaning that he or she had not engaged in underage drinking. Second, that the holder had completed a comprehensive alcohol education course. And third, that the holder would continue to observe the alcohol laws of the issuing state, including supplying those underage under penalty of immediate license revocation. There is little evidence that anything we are currently doing is having much effect on underage drinking. You've heard the alarming statistics from your own state. Nationally, the average age at which a young person first consumes alcohol is younger now than it has ever been since measurement began in 1975. An incentive, in the form of a license, might -- just might -- allow us finally to reverse what has, for the past 35 years, been a deeply disturbing trend.

Such reforms would, in fact, make colleges and universities more accountable, not less; for social life would come out of the shadows and into the sunlight, out of secretive locations and into the open. If so much as one Brett Griffen is saved, wouldn't that be worth it? Adults could model responsible behavior, not simply deliver a message that is neither heard nor heeded because it patronizes, condescends, and denies reality.

Alcohol is a reality in the lives of young adults in this country as in most of the rest of the world. We can either continue to try to change the reality -- which has been our attempt since 1984, and which, as is always the case in times of prohibition, has simply failed -- or we can, through enlightened public policy, create the safest possible environment for the reality. I firmly believe that current policies have created the least safe environment for the reality and that it is time for us to consider better ways to put fewer lives at risk.

And I thank you very much for your time.

SENATOR TURNER: Thank you very much, Dr. McCardell.  
Any questions from members?

Yes, Senator Whelan.

SENATOR WHELAN: Just a comment, Madam Chairwoman.

Both Dr. McCardell and Ms. Lazar, from MADD, made reference to -- specifically Ms. Lazar talked about Ricci's Law, and Dr. McCardell talked about the interlocking device.

There is a bill -- I believe Senator Adler and I are sponsors of -- that has moved in the Assembly through the Committee. I believe Senator Girgenti will be hearing that in the Public Safety Committee some time in December -- that would institute -- you and MADD agree on this point--

DR. McCARDELL: Absolutely.

SENATOR WHELAN: --would institute an interlocking device for anyone who has been convicted of drunk driving.

Basically you get in-- It's like a breathalyzer. You blow into it. If you've been drinking, the car doesn't start. So it's just a quick update on that.

SENATOR TURNER: Thank you, Senator.

SENATOR BATEMAN: Senator, I would just like to add--

SENATOR TURNER: Senator Bateman.

SENATOR BATEMAN: Thank you, Senator Whelan, for bringing that up.

I was the one who sponsored additional legislation in the Assembly for the current law for second- and third-time offenders. And obviously it has had an impact on keeping drunk drivers off the road. So I would encourage our colleagues also to support that bill when it comes up,

because we need to get the drunk drivers off the road. It's one of my other hats I wear. I'm a municipal prosecutor, so I deal with the drunk drivers every week. It's amazing how many are still out there, particularly the young drivers. So hopefully this will be a device that could be utilized in cutting down the number of drunk drivers.

Thank you.

SENATOR TURNER: Thank you.

DR. McCARDELL: Thank you, Senator Turner.

SENATOR TURNER: Thank you very much.

We'll now hear from the Director of the Division of Highway Traffic Safety, New Jersey Department of Law and Public Safety, Director Pam Fischer; and the Director of the Division of Alcoholic Beverage Control, New Jersey Department of Law and Public Safety, Director Jerry Fischer.

And in the interest of time, could you more or less summarize your testimony? Because we have a long list of people who are waiting to testify this morning.

Thank you.

**P A M F I S C H E R:** Thank you.

Good morning, Madam Chair.

My name is Pam Fischer. I'm Director of the New Jersey Division of Highway Traffic Safety. I'm here today with my counterpart, the other Director Fischer, from Alcoholic Beverage Control. And we're both going to offer some very brief comments.

We're also both founding members of the NJ21 Coalition, which is a partnership of organizations -- law enforcement, government,

education, prevention, as well as traffic safety organizations -- that have come together to push out the message about the importance of maintaining our current 21 minimum drinking age. And I want to just tie that together with some of the comments from the President of Middlebury College.

We really are focused very much, in the Coalition, on comprehensive education. When you look at the breadth of our members -- where they come from -- they have many, many programs that they're doing in the elementary schools, middle schools, high schools, and at the college level, as well as with adults, to really push a message out there about the importance of being responsible; for those who are under 21, not drinking because it is against the law. So there is a lot of comprehensive education going on.

I do also want to comment very briefly on the comment regarding the fact that not all of the fatalities that are happening for those underage are on the highway. That's true. But as the Director of the Division of Highway Traffic Safety, I can't ignore that. I recognize that we have seen a huge drop in the number of fatalities involving those under 21 years of age -- 18 to 20 years of age. And one of the documents that we've provided to you all this morning illustrates how effective 21 has been in bringing down the number of fatalities for that age group. They've come down 78 percent since we instituted 21 as our minimum drinking age. That's huge. That is important. And we are going to continue to do all we can to bring those numbers down even further. And at our peak in New Jersey, we lost 88 young people on the road to alcohol. They were behind the wheel. Since then, we've come down to 10. Ten is too many. We want

zero. That's our bottom line in Highway Safety, that's our bottom line in terms of saving lives. So we cannot rest until that number is zero. We remain very committed to that.

Let me also add that in your materials I provided, the Division of Highway Traffic Safety is the recipient of those Federal funds that come in through the Highway Safety Program. And last year, during Fiscal Year '08, we provided more than half-a-million dollars in grants to colleges, to county programs, to schools to help them do comprehensive education. We also provided funding to Jerry's Division, the Alcoholic Beverage Control folks, as well as local law enforcement agencies to do a very effective program called "Cops in Shops." So we need that education coupled with enforcement. It's absolutely critical to what we're trying to accomplish here.

Let me also add one other point, which I think is important. The public stands behind what Governor Codey said before about maintaining that 21. The public is there. They believe it should be 21, it should stay that way. And a recent public-mind poll that was done in partnership with the Partnership for a Drug Free New Jersey -- and their Executive Director Angelo Valente is here today -- found that New Jerseyans overwhelmingly support keeping the current age of 21. Seventy-six percent favor leaving it there. Just 18 percent support lowering it to 18. So there was absolute public support for this.

But the bottom line is, we need comprehensive education, we need strict enforcement. We need to do all we can to hold the line and realize that we are fighting for our children's lives here. That's really what it's all about.

So I will stop there and turn it over to the other Director Fischer.

**JERRY FISCHER:** Thank you.

Good morning.

I'm Jerry Fischer. I'm the Director of the Division of Alcoholic Beverage Control.

Madam Chairperson, members of the Committee, thank you for the opportunity to appear here today.

Obviously, I'm not going to reiterate all that's been said. This Division is completely in agreement with maintaining the 21 age drinking limit. And you have already heard the horrific statistics that accompany the abuse of alcohol by our young people.

But I will say this: Although this issue emanates from a consortium of universities, this problem transcends the university community, it impacts and is affected by the community at large, its scope and impact truly is a statewide issue whose solution is not limited to understanding and reacting to the college campus dynamic.

We have, as a result of our view on this, developed a number of programs that we engage in which attack not only at the college level, not only at the enforcement level, but attack at the middle school level, at the high school level, and at the community at large. Our "Cops in Shops" program provides funding for local police officers to work undercover in retail locations. This year alone, a total of 237 people were arrested as part of the Summer initiative. We have a similar "Cops in Shops" college initiative, which goes on during the college year and targets communities with college campuses nearby.

For example, as part of our initiative, just last month we arrested 11 people in the New Brunswick area for underage drinking or serving an underage drinker. Violation of that law is a disorderly persons offense and punishable by various fines, loss of driver's license, and potential imprisonment.

We have worked closely with the higher education community through the Higher Education Consortium. The Consortium is made up of college and university educators who meet monthly during the school year to share information on alcohol- and substance abuse-related problems. As part of this, the Division has funded in the past, and will continue to fund, and participate strongly with all of our university officials in addressing underage drinking.

We work closely in conjunction with the Partnership for a Drug Free New Jersey and with Mr. Angelo Valente to develop a number of innovative programs. Many of our programs have won statewide awards in terms of their creativity, in terms of their ability to reach people.

But our programs are not limited to simply attacking at the college level. Doing that is chasing the horse after it has left the barn. We agree with that. We have developed programs that are designed to reach the middle schools. For example, our calendar program, in which we asked middle school students, in conjunction with their parents -- so that we find a motive for engaging in conversation at the parental level with this -- asked the middle school students to develop calendars with an anti-alcohol consumption message. The winner of that competition has their program on a statewide billboard. We've produced calendars then that have the top

12 winners. And each year we have seen a significant increase from the year before in the number of schools that are participating in this program.

We've developed a "Proms and Alcohol Don't Mix" program, in which we go and ask students in the high schools to develop a 30-second TV spot addressing the proms and alcohol program -- and that alcohol should not be part of the prom experience. And Governor Corzine has graciously provided an award ceremony at Drumthwacket for the winner of this. So we, again, engage schools, we engage the Commissioner of Education to reach out to the schools, to develop an interest in this, and to develop a peer-to-peer message, which may very well be more effective than simply hearing from government officials.

We developed a PSA program in which we've asked prominent individuals to do a PSA message. Greg Schiano, the Rutgers football coach, has done this program for us and has had a PSA. We also asked people in the middle schools and in the high schools to develop radio PSA messages, which we then play on national TV and on radio.

We generally believe that it is important that the community at large must become a participant in this program. In the end, this message simply cannot be the burden of any one group. It is not the burden of government, it is not the burden of the colleges alone. But it is the burden of all of us. And this agency is committed to doing everything possible to bring all those disparate groups in order to have an effective message and effective program to protect our young people.

SENATOR TURNER: Thank you very much.

And I'm very pleased to hear that you believe that it is a society problem, a community problem, and it cannot be left at the doorsteps of

the colleges or public schools. And we have to bring the community at large into solving this problem, and particularly the parents. We need to get into the homes where these children are coming from. And parents have the greatest influence on their children. And it has to really start there, and the rest of society can certainly help in that endeavor.

So I thank you so much for your testimony.

Any comments or questions? (no response)

Thank you.

We'll hear from the Executive Director of the New Jersey Commission on Higher Education, Jane Oates.

**JANE OATES:** Good morning, Chairwoman Turner and members of the Committee.

I'm not going to waste your time. You have my testimony.

I'd like to bring up two things that haven't been mentioned before. Number one, I hope that none of us would take a knee-jerk reaction to have any kind of cookie-cutter policy on this. This is an issue where individuals need to be addressed on campus as to the why of their drinking.

Obviously, underage drinking is a crime -- I don't walk away from that -- and it has to be dealt with as a crime on campus. But a student who has too much too drink is very different from a student who needs to have a drink before they go out of their dorm room. And we need to make sure that competent professionals on campus are addressing whether this is a drinking problem or whether drinking is the way a problem is coming to the surface.

In this country, we didn't start looking at this issue until 1993, when the Harvard Institute of Health started looking at this. So we have

lots of data since 1993. Those of us who went to college before 1993 know that it existed long before the data was collected.

But since then, the Harvard Institute has been clear that there is a definite connection between binge drinking, particularly, and mental health issues: depression and anxiety. I mean, obviously anybody who has a preponderance of these issues before they go to college -- when they're put into a new social network, they're going to react more strongly. Our colleges have to have the freedom to treat these students if they need to be treated and referred for mental health counseling. So I hope whatever action is being considered by this Committee, and others in the Assembly and in the Senate, would carefully look at -- we want to make sure that there's not a cookie-cutter approach here.

The second thing is a piece of good news. So many times you have hearings on timely topics and have important information. But I need to tell you that, today, this hearing has already had a positive reaction. On Friday, the vice presidents and deans for student services at every college -- public, private, two-, and four-year -- in New Jersey met. And it was the first time that meeting has happened. Now, the county college deans have met, and the private colleges have met, and the public colleges have met, but they've never met together. And this conversation on Friday afternoon -- which, by the way, did not deal with drinking, it dealt instead with cyber bullying and it dealt with something that Ron Chen is doing -- a report on college suicide and how campuses react to it, in a draft form.

This group is a gold mine of talent, not only about who the students are on their campuses, but how to react and how to act in a proactive and not just a reactive way. I would hope that you would strongly

urge this group of professionals to meet regularly, quarterly, semiannually, whatever, and talk about these best practices. Because the worst thing that could happen, in my mind, is that these kids are expelled from college. These are kids who are talented, who have worked hard in high school despite any problem they might have with alcohol. They got into our New Jersey colleges. And if we have this kind of policy that expels them-- There are many cases pending in national law right now on this issue. If we were to expel them, who is going to address their problem? Then they are partial college attendees who have been dismissed. They have loans, and they have no degree.

I would hope that whatever we do, we actually support our colleges in supporting the students they accepted, keeping them enrolled, and helping them deal with their problem.

With that, I think you've heard all other testimony today. I would hope you would keep those two things in mind when you're doing any considering on this issue.

SENATOR TURNER: Thank you.

I have a question. Do you or the State provide any guidance to institutions on best practices for underage alcohol use prevention?

MS. OATES: At this time, we do not. And I have to tell you, if we were to develop those -- and I think that my Board will be looking forward to working with the colleges to do something in this -- we would go through this group that I met with on Friday. I know some of them individually. I had never seen them as a group. And they were really impressive.

SENATOR TURNER: But do you believe that we need a statewide, uniform alcohol policy for all colleges in New Jersey?

MS. OATES: Senator Turner, I think that the problem is universal, except that each college is a little different. As you're aware from looking at the policies, some of our colleges are dry campuses. Some offer dry dorms so that students who came to them with a problem don't have to be around other students who are involved in alcohol. But I think we need to give the colleges flexibility on how to deal with this. It's a problem at our two-year colleges, but less of a problem, because they don't have dorms. I mean, people can argue that there are factors that create a bigger or smaller problem. But obviously dorms would be a universal thing when you have people living on campus. Does Greek life provide an added dilemma in this problem? Some would say yes, and some would say no. So I would say that we should have an overarching discussion on this topic, but we should leave the individual kinds of policy issues to the college.

SENATOR TURNER: I think, from what I've read, many of the students who move off campus seem to do more underage drinking, as well as binge drinking, than they would if they were in a dormitory on campus. Is that true from your studies?

MS. OATES: I think, anecdotally, I would wholeheartedly agree with you.

I mean, we know certain things, Senator. All of us know certain things. This needs to be a partnership -- and I think all the other witnesses have said the same thing -- between the colleges, between parents, and between the business community, and the community surrounding colleges. People know when somebody pulls up and puts a keg of beer in

the trunk of their car that they're not having a cocktail before they go out to dinner. (laughter) They're going to drink to get drunk.

And there are things that we can do -- to say to businesses, "We're going to watch." People who buy a keg of beer have to leave a deposit. We know their names. So when we-- There are ways that we could check this without-- How they get a keg of beer past campus security is amazing, but I think we all would agree that students are wily. I mean, I think it-- But most of this drinking is not done sipping cocktails, this is drinking to get drunk. And playing drinking games and things like that -- that's when these kids have the most problems. I don't want to minimize the kids who have a flask in their pocket and are having a sip here and there. I don't want to minimize that. But we could do so much more, in general, in New Jersey to get at this problem, working through alcohol distributors, beer distributors. We could do a lot more in this area. And those-- I think the law -- the pending bill -- that's the law about ignition control and the pending bill to increase its grasp or its link to first time offenders, I believe--

Is that correct, Senator, that it would be first-time offenders now?

SENATOR WHELAN: Yes.

SENATOR BATEMAN: Yes.

MS. OATES: I mean, I think that's a great way to do it. But very few college kids have cars on campus who live there. So we're not going to hit them. We need to think about what else we can do to support mechanisms other than just asking the colleges to have a stronger policy. It's not just that. None of the colleges are selling them booze.

SENATOR TURNER: I have a bill that's been languishing in Committee for years now which would require keg registration. And that would be one way of getting at those people who are buying beer and they're underage -- or those people who are buying the beer for students who are underage -- and holding them accountable and responsible for that action.

MS. OATES: Senator, that, to me, is legislation that should be fast-tracked. I mean, those are the people we need to get to. Just as we did in the war against drugs -- we went to the supply chain. We need to go to the supply chain here. I mean, not that kids won't find a way to get it, but let's make it at least a little more difficult for them.

SENATOR TURNER: Thank you very much.

MS. OATES: Thank you.

SENATOR TURNER: We'll hear now President Peter P. Mercer, Ramapo College of New Jersey; and President Paul G. Gaffney II, Monmouth University.

Do we need another chair?

UNIDENTIFIED SPEAKER FROM AUDIENCE: I'll stand.

SENATOR TURNER: You said you'll stand? (laughter)

UNIDENTIFIED SPEAKER FROM AUDIENCE: I brought reinforcements.

**P E T E R P. M E R C E R, Ph.D.:** Thank you very much, Madam Chair and members of the Committee.

I am Peter Mercer, President of Ramapo College, which, as most of you know, is designated as New Jersey's liberal arts college. It was founded in 1969, and it's located in Bergen County, on a self-contained

300-acre campus. We have approximately 5,700 students, 5,400 of whom are undergraduates. And we have 3,000 students living in our residences, so more than half our population.

I have with me today our Vice President of Student Affairs, Dr. Pamela Bischoff. She's been head of our Student Affairs Division since 1985 and involved with the Student Affairs Division at Ramapo College since 1971. And also my Director of Public Safety, Vince Markowski, who prior to coming to Ramapo College was at William Paterson University, and before that was, for 30 years, a police officer and a detective.

I have a personal interest in this issue as an academic. Before coming to New Jersey in 2005, I spent 20 years at a large university in Canada, where I was the Dean of the Law School and then General Counsel to the university and Vice President at that university.

In Ontario, Canada, the drinking age was 19, and we had three campus bars. And I certainly prefer the situation I have now, where the drinking age is 21. For what it's worth, I would not be inclined to reduce the drinking age either. But I do want to say that the issues go well beyond the drinking age, and that, I think, is what the Amethyst Initiative was directed toward.

In fact, the question of underage drinking and problem drinking is a serious issue at virtually every college, and university, and virtually every high school in North America. And I believe that there are three main avenues to the approach to the issue in which we engage in at Ramapo College, and in which I believe all our sister colleges do as well. And those are, in order of importance, in my view: education, remediation, and adjudication.

First, I'd like to speak about the complexity of the issue on a college campus. You've already heard that most college students who drink are likely to have started when they were 12 or 13 years of age, long before they entered college. There's also the difficulty that occasionally commercial alcohol providers behave irresponsibly and even illegally. Some of the practices that are involved in commercial establishments clearly contravene the law.

But among our own population, we have the fact that colleges today accommodate students with serious physical and mental diseases. They range from leukemia, to autism, to bipolar disorder. And the point is that, in all those cases, the addition of alcohol makes the mix that much more volatile. Many of them are on very powerful medications for which alcohol is a serious contaminant.

At Ramapo College, our goal has been to maintain the health and safety of our students and enable them to reach their full potential. And consequently, we have a range of alcohol and other drug educational programs. These are ultimately overseen by a committee that reports to me directly, and whose meetings I attend, called the President's Advisory Committee on Alcohol and Other Drugs. And we target a number of select groups. We have educational programs for incoming freshmen that talk not only about the law, but also about the health and wellness affects of drinking, whether underage or as problem drinkers.

We have specific programs for our athletic teams, for our Greek life participants, for our residence life programs. We have the checkpoint initiative, which is designed to convince students of the ill-effects of problem drinking. And we engage in social norms marketing, something

which I found extremely effective, which emphasizes with students what actually happens on campuses, so that they don't become socialized to the false notion that drinking excessively is somehow a hallmark of being a real college student.

In order to support those educational programs, in addition to our professional staff we have significant infrastructure support. Some of that is what I would describe as positive infrastructure support, and some of it is negative -- negative in this sense: We do not allow any fraternity or sorority houses to exist on our campus. Our Greek life is administered through our Student Affairs Office, but we don't have separate dwellings for fraternities or sororities, because we know that in the past that has been a problem. We also do not have them off-campus.

We have a strong relationship with the local Mahwah Police Department. As you know, we are a public safety department, not a police force. But we rely very much for support and backup on the Mahwah Police, with whom we have a very strong working relationship.

In order to counteract the attraction of alcohol to our students, we also have significantly increased our student event programming, particularly on weekends. We have also entered into formal arrangements with operators of commercial establishments, whereby they attend our meetings and discuss with us the practices that they follow.

Let me give you just one example. A local commercial alcohol provider, the operator of a bar, agreed with us, when he came to our meeting, that it was at least imprudent and probably illegal for him to allow students to bring a 48 oz. container to his bar and have it filled for \$2.50.  
(laughter)

We also have a very well-staffed health and counseling service. And I want to go back again to the fact that for many of these students, alcohol consumption is mixed with other questions of consumption and is often a function of a much more deeply routed psychological or social problem.

You will see that reflected in our sanctions for violation of our alcohol policy. And I'd like to go through those very briefly, because I think it will give you a flavor of how we use the education, remediation, adjudication model to try and deal with the whole problem.

Our first violation: If a student violates our alcohol policy -- and typically, that violation would be an underage drinker -- they're fined at least \$100, and they are required to attend a four- to 10-hour checkpoint program. And in many cases, we notify their parents. We reserve the discretion, where it's only one offense, not to notify their parents, depending on the way in which the student handles the issue him or herself.

At a second violation, however, it gets ratcheted up. The fine then is at least \$2,000 (*sic*), parents are automatically notified, there's a 10-hour participation in the checkpoint program, there's residence probation, and potential suspension of activities privileges.

And this goes through a third violation, where the fine is not less than \$400, where there's a referral for potential substance abuse or they're put on disciplinary probation, where they lose campus housing, and they're possibly suspended from college; to a final violation, where they are definitely suspended from college, and the parents are notified.

I'd like to say, in conclusion, that in my view, and I think the view of my colleagues, the biggest single issue or liability from underage and

problem drinking is actually what I describe as the loss of human capital. When students get to their junior year or senior year and realize that they have wasted their time and their parents' money by underachieving because they've been far too interested in alcohol consumption and partying, it is really too late for them to recover that opportunity. That graduate school that they wanted to attend or that professional school to which they wanted to go is probably out of reach. And so from our perspective, the constant emphasis must be on educating students about the full range of risks, the largest one being to their ability to develop to their own potential.

Thank you very much.

SENATOR TURNER: Thank you.

Do you have any housing where there is no use of alcohol at all -- alcohol-free housing on campus?

DR. MERCER: Yes, we do. We segregate those who are able, legally, to drink alcohol from those who are not.

SENATOR TURNER: I think studies have shown that if you ban alcohol totally on campus, there's less likelihood that you'd have a great amount of binge drinking. Do you subscribe to that theory?

DR. MERCER: I think that may be true, but I have not seen it in operation. I've done probably a hundred workshops on the issue for colleges and universities over the last 20 years. And what I've generally found is that attempts to actually ban drinking where there are students of legal age really does have the effect that President McCardell described, which is that it drives it significantly underground. And it is harder to get at as a social issue than if you simply recognize that there are certain people of age who can drink responsibly.

SENATOR TURNER: Do you have a large number of students who request alcohol-free or substance-free housing on campus?

DR. MERCER: I'm now going to do what all good presidents do, and defer to somebody who can actually answer that question, my Vice President. (laughter)

**P A M E L A M. B I S C H O F F, Ed.D.:** Good morning.

We have some, and we are able to accommodate them with an individual living unit.

SENATOR TURNER: You have some, but not a large number.

DR. BISCHOFF: Not a very large number. Those who request it receive individual housing. We have a number of apartment-style facilities and others where we can pretty much close off people to a smaller area.

SENATOR TURNER: So it's not a demand that you cannot accommodate. You can accommodate all those students who request substance-free or alcohol-free housing.

DR. BISCHOFF: Yes.

SENATOR TURNER: Good. Thank you.

**P A U L G. G A F F N E Y II:** Good morning, Madam Chairwoman and esteemed members of the Senate Education Committee.

I'm Paul Gaffney, President of Monmouth University, New Jersey's Independent University (laughter) -- largest number of independent students from New Jersey. I think we beat Rider by like three people, Madam Chair. (laughter)

I provided my testimony for the record. Let me summarize a little bit.

I was very interested to hear the story about Canada. I also have a different background, in that I've been supervising people of the average of 20 or younger for 40 years, only the last five of which have been as the University President. So I've been watching this for years.

Thank you for hearing us today on this very important issue.

This is a top issue for me and for our university, whether it was -- one can consider it was left on our doorstep or not. It's something that we must deal with and we choose to deal with, because we support the law -- the rule of law as it exists today. Alcohol abuse can, obviously, alter our students' lives forever. Examples are-- Obviously we've been hearing about death -- horrible death and injury. But consider also if you -- if a student is convicted and gets a record in a local municipality, that travels with that person and may affect them getting a security clearance at a job or whatever. But also, if one gets their name in the *Asbury Park Press* after a party is broken up, a simple creative staffing director at a company can Google a person's name and find that name, perhaps forever. Never mind the very bad return on tuition dollar that one has and the affect that it has on town-to-gown relations.

We see this, up front, a root problem of self-respect and therefore self-responsibility. And with self-responsibility comes peer responsibility. And this is something that we talk to every student about and every parent we can get to, face to face, from the very first time they take their orientation visit, before they even enroll in their first class, in the Summer and while they are actually interviewing our University.

This takes, I think, a substantial investment of time and money at any university to try to deal with this. For example, certainly our

leadership has to be well-steeped in these issues. But so do residence life administrators. And having a full-time substance abuse coordinator -- or more than one, as we do at this point -- linked in with a full compliment of psychological counselors and a health services staff, all working together, is important. And that's an investment.

We're fortunate to have our own sworn, commissioned armed police force on campus, not a security force. We find that to our advantage. But also we're investing in our coaches, our trainers, our Greek life advisors from the faculty and other places on the campus as well. This takes some investment.

Now, in my testimony is a list of things that we've done. We've also created -- we being Vice President Mary Anne Nagy, who next year will -- maybe I'll bring a chair for her at the table -- she's in the audience. She developed this white paper, which is available on CD as well. We've made a copy available for the Committee, but also to our peer institutions in the independent world and to a number of national organizations. And while this looks nicely bound for demonstration today, it is a document we are happy to change this afternoon if another idea comes along, and keep it updated all the time. We can never be satisfied with this document, which is an integrated review of all of our issues.

There are some key principles. One is that leadership must speak about personal and peer responsibility and how it relates to alcohol, before and after there's an incident. We have to involve parents. I'm not altogether happy about that. But we have chosen to involve parents before there's an incident and after. We do provide alternatives, as does Ramapo. We educate broadly all students before -- in freshmen seminars and other

kinds of orientation. And then after, if there's an incident, we educate individually with programs like AlcoholEdu, where the student does not just take that online course, but the results of that course are discussed with a substance abuse coordinator or other trained counselor. Then we also evaluate them psychologically and medically if necessary. And then we impose sanctions very much like those at Ramapo.

And another principle we think is very important is involving peer leaders, not just in developing with us the sanctions list, the education program, but also to get them involved in speaking with young students. Because the younger students look up to them. Whether they are captains of athletics teams, or presidents of fraternities and sororities, or orientation leaders, or residence assistants, or student government officers. Getting them involved in developing the tools that we have -- but also delivering the education is very important.

In the area of peer responsibility, which is so important to us, there's a list of many other things in here like the Hero Campaign, which is a designated driver campaign that has to do with a young naval officer who was killed by a drunk driver. And that happened right here in New Jersey just days after he graduated from the Naval Academy. It's a wonderful program. We're involved with that. Bartender training and meetings with establishment owners, along with organizations like the Alcoholic Beverage Commission, Prevention First, our local -- our county prosecutor, and student leaders, including fraternities-- We also have a program which we think has been quite helpful for student safety, called the Good Samaritan Program, wherein students are at an event where drinking or maybe even drugs happen to be used, and a student or students may get into trouble,

and other students come to their rescue, and call a neighbor, an EMT, a policeman, an ambulance, somebody to get them -- or university official to get them help. When they do that, those students who called for help are not then subject to our code of conduct or any sanctions, but they still must go through an education program.

Finally, I would say we-- There was some discussion earlier about sponsoring best practices conferences. We have been doing that on our own nickel now for three years, bringing in the universities from around our region, not just New Jersey, to pool the best practices ideas and then copy them down so that we can put them in place for ourselves and share them with others.

I think the final point I would make is--

You had some concern, Madam Chairwoman, about whether the drinking is going on, on campus or off campus. Well, a lot of it goes on off campus, especially if you live in an environment like we do, right on the Jersey Shore, where there are so many *recreational*, if I can use that term, facilities so nearby. Actually, there are some within walking distance.

When there is a summons issued by a local municipality for either some dangerous behavior -- alcohol-related bad behavior or underage drinking, we find out about it on the campus later. And while *double jeopardy* is not exactly the word, those students will go before a municipal prosecutor; they'll also go through the student judicial system, and be subject to sanctions on our part.

Thank you very much for having us here today.

SENATOR TURNER: Thank you.

Do you also provide substance-free housing to those students who request it?

MR. GAFFNEY: Yes. And I would say I have the same answer that the Vice President from Ramapo had. We can expand limitlessly, I guess, as student demand dictates.

SENATOR TURNER: Okay. There's no--

MR. GAFFNEY: About half of our students live off campus.

SENATOR TURNER: That's because you don't have sufficient dormitory space, or is that because they just choose to?

MR. GAFFNEY: No, it's because we don't have sufficient dormitory space. Our indications are that if we can get more dormitory space -- somewhat problematic right this moment in this economy -- that more and more students would live there, regardless of their age.

SENATOR TURNER: Do you work collaboratively with local police in your community?

MR. GAFFNEY: Yes, ma'am.

SENATOR TURNER: And do you speak with them in terms of helping to prevent underage drinking and binge drinking?

MR. GAFFNEY: Yes, ma'am, we do. We have monthly meetings during the academic year with leaders of the municipalities. That could be mayors, councilmen, usually also the chief of police. Our internal chief of police works closely with the chiefs of police in our area and with the county prosecutor on alcohol issues, but also on many other safety issues. So I think it's a very close relationship.

SENATOR TURNER: I know in my district, when you have a number of students living off campus, it really disrupts the neighborhood in

many instances. And there are a lot of complaints about loud parties, and drinking, and all kinds of behaviors that neighbors object to. Do you experience the same thing at Monmouth?

MR. GAFFNEY: Yes, ma'am. You could read selected *Asbury Park Press* articles, and you can read about that. (laughter) It is something that I spend a great deal of time on, as does Vice President Nagy. We actually have a full-time Community Relations Director to work with our communities. But we are, I think, making excellent progress in this regard.

I would say that they also learn some things from a comprehensive program like ours, in that these programs in the local -- these problems in local towns are not confined only to college students, but to others, including high school students. So we can share ideas back and forth. I think it's really quite helpful.

SENATOR TURNER: How long has your comprehensive program been in place?

MR. GAFFNEY: Well, it predates me. But we decided to put it into paper about a year ago. And now it's in CD form as well.

SENATOR TURNER: Have you noticed an improvement in terms of underage and binge drinking with your students?

MR. GAFFNEY: I would say a general improvement, but I would also say, especially when you bring in the town and gown relation, one sees more incidences in the first six weeks of the year and then a pretty rapid drop off after that.

SENATOR TURNER: Okay.

MR. GAFFNEY: Partly because windows are open, but also--  
(laughter)

SENATOR TURNER: Yes, that's true.

MR. GAFFNEY: But people settle down a bit. We put a great deal of effort on the first six weeks.

SENATOR TURNER: Senator Bateman.

SENATOR BATEMAN: Madam Chair, thank you.

And President Gaffney, thank you for your testimony.

This might be more appropriate for one of the chiefs, but because of your proximity to the Jersey Shore, have you seen an increase in the number of fake IDs that your students are getting hold of or utilizing in the establishments near the shore? And if not, I can save the question for the chiefs.

MR. GAFFNEY: I would-- I have not heard that from either our chief, or from the public safety directors, or the mayors. I have not heard that.

SENATOR BATEMAN: Thank you.

SENATOR WHELAN: Madam Chair.

SENATOR TURNER: Thank you.

Senator Whelan.

SENATOR WHELAN: A couple of questions: One of the things that I've seen change in the time that I've been teaching -- not at the college level, but over 30 years. I don't know of a district in the state, or probably in the country -- a district in the state that doesn't have drug education, alcohol awareness education reaching down to the middle schools, which is the level that I teach at.

Are there any studies or, anecdotally, do you have any sense that these things are effective and they made a difference with the student

populations that you're seeing, in terms of their attitudes about drug and alcohol abuse, or are we still kind of uncertain? And that's for anyone who may have a sense of that.

MR. GAFFNEY: I would say my sense is that involving parents in this discussion, even in the very first orientation meeting that we have, with small groups and the big one we have on the day the students move in -- that we're getting more parental attention. And therefore, when an incident occurs, when one calls a parent, you get a partner to help resolve the second issue. In fact, several times in remarks that we've given to parents, they've broken out in spontaneous applause when we discuss the education, the evaluation, and the sanctions programs that we have.

DR. MERCER: If I could just add to that. It's striking, as Dr. McCardell said, that while it's true that problem drinking or binge drinking seems to be on an increase, so is abstinence. And I think it's unwise for us to walk away from here thinking that binge drinking and problem drinking in college is absolutely rampant. Our own social norms work indicates that that is not true. In fact, many students do not drink alcohol at all, or if they do, they're of age and do so very responsibly.

And I think the attitude toward alcohol is perhaps better than it was even 10 years ago. The difficulty is that group that, for whatever reason, have decided that alcohol abuse is something that they find socially acceptable. And it's matched by other behaviors that are equally problematic. As you probably know, the abuse of prescription drugs by the same age group has increased markedly over the last five to 10 years. But I do think education programs in the schools are working on a larger population than they did before.

SENATOR WHELAN: Thank you.

Just to comment to Senator Bateman's point: Representing the Shore community and having grown up in the Shore community, there really has been a change. President Mercer just referred to the attitude changes. When I was in college in Atlantic City, I mean, we had underage bars that you just knew you went to. I was a lifeguard, and that's where you went if you were under 21. Those are all gone. They were called *zoo bars*. Those zoo bars -- not just in Atlantic City, but in Margate, Somers Point, and neighboring towns. There really has been a change in attitude. A lot of them have converted to restaurants, and so on, and so forth. And I think that goes to the point that Senator Bateman reaches. I'd be interested to hear what Stockton has to say. But the fake ID cards -- I don't think they're effective, because that shift has occurred.

That's all.

Thank you.

SENATOR TURNER: Yes, Mr. Gaffney.

MR. GAFFNEY: We have noticed an issue that maybe relates to both of your questions. Some places advertise, "Party at 18, drink at 21." So you come to a bar -- say it's in some shore town. You get a bunch of students coming in at 18. Supposedly there's a system in there that works that says, "Once you're in the bar, you're not going to get a drink until you're 21" -- some stamp, or band. But when you look at the outflow of people, you see that it doesn't work quite so well.

So what we attempt to do is talk to the local police chief and to the Alcoholic Beverage Commission about these kinds of places, because we

think it's pretty hard to control. It's maybe a way around the ID card question you asked, Senator.

SENATOR BATEMAN: Thank you.

SENATOR TURNER: Thank you very much. We appreciate you spending this time with us today.

We'll next hear Dr. Greg Blimling, Vice President of Student Affairs at Rutgers, The State University of New Jersey; and Dr. Carmen Jordan-Cox, Vice President of Student Affairs at Rowan University; and Dr. Karen Pennington, Vice President of Student Development and Campus Life at Montclair State University.

Good morning. And thank you for being with us today.

Go right ahead, Dr. Blimling.

**G R E G O R Y   S .   B L I M L I N G ,   P h . D . :** My name is Gregory Blimling. I'm the Vice President for Student Affairs at Rutgers University.

I have been working with alcohol and drug issues since about 1972. I have been a student affairs administrator for more than 35 years, and a college professor. I can tell you that the problems of underage drinking are very complex and very difficult to deal with. The University has been a leader in trying to address these issues for over 25 years. In fact, Rutgers issued its first alcohol report prior to 1982. Our programs are based upon an educational model in which we're focused on prevention, education, intervention, and treatment.

Rutgers is home to the ADAPS program, which is a special program designed to do alcohol intervention and assessment on college students. And we're also home to the Center for Alcohol Studies, which

publishes the *Journal of Studies on Alcohol*, which is a nationally known alcohol research institute.

Rutgers takes this very seriously and has a series of prevention programs, intervention programs, normative programs to really begin to affect how students think about alcohol. One of the programs we've undertaken is something called RU SURE? RU SURE? is a *renorming* program at the University, in which students are given information throughout their entire time at the University to address issues of underage drinking and overconsumption.

Starting with orientation, students receive information about alcohol, underage drinking, and the policies the University has to regulate it. We also, throughout the year, present them with a whole variety of prevention programs. These come in the form of public service announcements, in the form of posters and bulletins, in the form of required meetings that they attend, in the form of a number of different activities in which they participate throughout the year.

In addition to that, we use something called *curriculum infusion*. In the curriculum infusion, we actually provide things such as learning centers that are focused on alcohol, we have freshmen interest groups that focus on alcohol issues, we also have programs in the School of Social Work and in Public Health that actually research and talk about how we can have a greater affect on underage drinking and binge drinking on campus.

Rutgers also uses a series of peer educators. These are young people that we select and train to go out into the community and do regular workshops. Almost every one of our residence halls will have one of these programs -- multiple programs actually -- throughout the year. And these

students will go out and actually do the alcohol education, training, and intervention on the floors, in fraternities, in public places, and our student centers throughout the entire year. We might have several hundred of those occur throughout the year.

We also do prevention training in terms of the work that we do with our residence life staff, coaches, trainers, fraternity leaders, our residence assistants, and a number of other people throughout the year.

When a student violates that policy, we take it very seriously. We have a zero-tolerance philosophy. And when a student violates the University's policy, they are referred to a judicial hearing officer or residence life hearing officer who does an alcohol screening with that individual. Part of that alcohol screening is usually some type of disciplinary action. It may involve some kind of community service or something else, based upon the student's individual experience that took place. Many of those students are also referred to a mandatory three- or four-session alcohol education program, depending on the kind of violation they had and their individual circumstances.

Any student who violates the policy a second time is required to participate in the alcohol education intervention program at a higher level, to undergo an actual assessment by one of our alcohol counselors. And we have three at New Brunswick, and we have two in Newark, and one in Camden. And they actually sit down and do a complete alcohol assessment with the individual, which usually lasts three or four sessions, giving them individual and direct feedback. For those students who are experiencing alcohol and drug treatment programs (*sic*), we put them in a

treatment program to help resolve any alcohol dependency issues they may have.

Rutgers was the first university in the United States to develop a recovery house, which is a special housing situation we have for students who are addicted to alcohol or drugs and wish to attend the University. We actually have an alcohol counselor who helps them, and they live on campus in a recovery house situation. We have one of these in New Brunswick and one of them in Newark.

Part of what we do too is, we try to conduct as much research as possible about the things that work and the things that don't work. One of the programs where we've been very successful has been the RU SURE? program, which is a program that takes a look at how we address the environment as a whole on education.

This book is a book published by two of our researchers, which outlines this normative program they did. It was published in 2005 and gives the details they went through in order to address each of these issues throughout the year.

I think you can say that the University recognizes that alcohol use among college students is a serious concern. We take it seriously. And we do as much as we can -- through the educational programs, the interventions, and strategies -- that we can to stop underage drinking, as well as to prevent binge drinking.

Thank you.

SENATOR TURNER: Thank you.

Now, do you have any cooperative efforts with the City of New Brunswick in terms of establishing community-wide programs to help prevent binge drinking and underage drinking?

DR. BLIMLING: Our police department, the Rutgers University Police Department, works very closely with the New Brunswick Police Department. And they have some shared jurisdiction issues in what are called the fifth and sixth wards, which are areas that are adjacent to Rutgers University, in which our police actually patrol that area for enforcement of alcohol violations, both with DWIs -- and in New Brunswick, they have an open container policy which means, if you're on the street with an open container of alcohol, you can be arrested. Our police enforce that, along with New Brunswick police.

In addition to that, they have cooperative programs that work throughout that whole area, particularly on game weekends during the football season.

SENATOR TURNER: Do you also have substance-free housing for those students who don't want to be associated with drinking?

DR. BLIMLING: We have housing for first-year students. And first-year students' housing is all substance-free housing.

SENATOR TURNER: And you have adequate housing for those people who request it?

DR. BLIMLING: Well, we don't have adequate housing. We house approximately 15,000 students at Rutgers, New Brunswick. And we're probably-- This year, we're at least 1,000 beds short of what we needed, and next year we could be almost twice that much. So we are not able at this time to supply housing for everybody.

SENATOR TURNER: Do you receive a lot of complaints from people who live in the community because of students drinking and having loud parties near their premises?

DR. BLIMLING: The place where students generally have parties are in an area that adjoins the campus, per se. And most of the people that live in that adjoining area happen to be students. It's a high-rental area where there are a number of houses the students rent either in groups or individually. And so we do not receive a large number of complaints about student drinking in those areas, although student drinking certainly does take place in private houses on campus.

SENATOR TURNER: Okay. Thank you.

Any questions? (no response)

We'll now--

Do you want to go next? Okay.

Give your name. Repeat your name, please.

**C A R M E N A. J O R D A N - C O X, Ph.D.:** I'm Carmen Jordan-Cox, Vice President of Student Affairs, Rowan University.

I'd like to thank you for the opportunity to testify today. I'm joined today by two of my colleagues, Richard Jones, who is the Interim Associate Vice President for Residential Learning and Housing, and the Dean of Students; and Pam Negro, who is the Director of our Center for Addiction Studies and Awareness.

I probably -- of the Vice Presidential appointees there, I'm probably the newest. I'm new to New Jersey. I've been at the University in New Jersey for four years, but not new to higher education or as a vice president, since I've been a vice president for 37 years -- 35 years.

SENATOR TURNER: Where was that?

DR. JORDAN-COX: Pardon me?

SENATOR TURNER: Where did you come from?

DR. JORDAN-COX: I came most immediately from California, but I've been in the region: Pennsylvania, Maryland, Boston, Georgia.

SENATOR TURNER: Okay. So you've been around the country.

DR. JORDAN-COX: I've been around a little bit.

SENATOR TURNER: So how do we compare in terms of what we're doing? (laughter)

DR. JORDAN-COX: Well, you know, I have a simple philosophy. I'm never sorry I go any place, and I'm never sorry I leave. (laughter) So I'm happy with my current move.

SENATOR TURNER: Okay. Go right ahead.

DR. JORDAN-COX: I just want to thank you.

Rowan is in the process of trying to make some major cultural changes on our campus with regard to the use of alcohol. As our President says, we're trying to use a combination of carrots and sticks.

And so what I'm going to do-- You have a folder like this from Rowan which contains a lot of detailed information. I'm going to highlight some of the initiatives that fall into two categories: prevention and intervention.

And most of what I'm going to say to you has occurred the Fall of 2007. My first week on the campus, we had, I believe, 15 different alcohol-related incidents. And I thought that was rather shocking, even to

someone coming from the West Coast. And so that really led to a number of activities.

In September, we created what we call the ATOD, the Alcohol Tobacco and Other Drugs Task Force. And the membership consists of all the administrators in Student Affairs. We took some time, about a month or so, to look at a number of issues -- our policies, orientation practices, mandatory education and assessment programs, our violations, our fines, our parental notification policies as well.

We developed an Alcohol and Other Drugs statement, which we publish in all of our publications and post on our Web site. And it reads like this, "The Division of Student Affairs is committed to promoting a safe, healthy learning environment for Rowan students. It is expected that students will make legal and responsible lifestyle choices concerning the use of tobacco, alcohol, and other drugs. Responsible lifestyle choices can be facilitated by engaging in positive activities that build community and enhance learning."

A third initiative is the Center for Addiction Studies. Rowan is very fortunate to house the Center for Addiction Studies, which was formerly in the Academic Affairs division. The Center holds the distinction as the only university-based licensed facility in New Jersey providing therapeutic services for individuals experiencing problems with alcohol, tobacco, and other drugs. The Center for Addiction Studies has created and houses the nationally recognized New Jersey Higher Education Consortium on Alcohol and Other Drugs.

Rowan has committed permanent funding for the Alcohol and Other Drugs initiative in Student Affairs. In order to enhance these

initiatives, the Center for Addiction Studies has expanded its role to become the Center for Addiction Studies and Awareness. CASA is the acronym. And it has moved administratively under Student Affairs. This move in 2008 has really enabled us to better integrate our health, counseling, and psychological services.

Our fourth initiative is one we called our Healthy Choices Campaign. In an attempt to show that alcohol is really part of a larger issue of a healthy lifestyle, we developed a program called RU Ready -- as in Rowan University -- to Step Up? It has six components -- or six themes: *S*, for safe choices; *T*, for think healthy; *E*, for embrace the Rowan spirit; *P*, for party responsibly; *U*, for understand and appreciate diversity; and *P*, for participate.

Within the context of those themes, we enhanced our Summer orientation programs with the Healthy Choices series of workshops for students that featured videos, music, the new iClick, or technology, to reinforce those things. During parent orientation, we talked to parents about partnering with parents to reinforce the need for students to live healthy lifestyles.

Heretofore, all of our orientation programs have been in the Summer. We decided this Fall to create a mandatory freshmen mini-orientation, which is a one-day program, with the theme: UR Ready, the choices you make today impact tomorrow. And it focused on safe partying, safer sex, and diversity.

We also created -- gave students a free notebook. You have just the eight healthy choices pages. But students like free things. The notebook is -- they can use for classes. We had 8,000 of them, and the

students have taken all of them. We're going to get another 8,000 for the second semester. So whenever they open the notebook to use in school for classes, they actually see these healthy choices themes.

Historically at Rowan, our students arrived five days before classes started, which had the unintended consequence of giving them plenty of time -- free time, and time to find places to drink. Effective Fall of '08, the new students now arrive three days ahead of time. And as I've indicated before, we have started a mini-orientation program, including convocation and induction into the Class of 2012, as well as social activities.

Another new initiative is what we call Rowan After Hours. I think one of the previous speakers mentioned late night programs. Late night programming is something that occurs on Thursdays, Fridays, and Saturday nights from 9:00 to 1:00, when many of us have already decided to go to bed. Obviously, our young folks are ready to engage in social activities. (laughter) This is something sponsored by our Student Activities Office.

And I need to say something about this. Meeting with some students last year, we decided to pilot Rowan After Hours on Thursday nights only, because we didn't have the funding to do more than that. The students were so pleased with that initiative, that they voted to tax themselves \$500,000 every year in their fees -- raise their fees -- in order to support Rowan After Hours, which is now Thursday, Friday, and Saturday nights. And I will show you the impact of that in a moment with some data that we've collected.

Like Rutgers, we also engage in the Heroes Campaign. We also have a new student organization called Rowan StudentCare, which is -- we bring students together to provide them with the knowledge of how to handle issues like alcohol poisoning, prescription drug abuse, marijuana, etc. We started a new series this year called Conversations with the Dean. Our Dean of Students goes on every single floor in our residence halls to talk to students about healthy choices.

We also have alcohol-free athletic events. No alcohol is permitted at athletic events, or tailgating. We started that last Fall.

In the area of intervention, we have a number of programs, some of which you've heard about already from other campuses. We have mandatory substance abuse classes and assessments. We have three, 12-steps programs: one we call Recovery University, which is 12 steps for -- it's a Narcotics Anonymous course. It talks about fellowship. There's another one called Thursday Night Smarter to Be Sober, which is an Alcoholics Anonymous fellowship; and another one that's called 12 Steps for Everybody. And that's a fellowship for people who are having other kinds of addiction issues that are not related to alcohol or drugs.

We have party patrols. This is a collaborative relationship between Rowan University's Police Department-- We have both police and public safety officers. So it's a collaborative relationship between our personnel and the Glassboro Police to patrol the communities surrounding the campus. We have lots of apartment buildings that we do not own. You can literally walk across the street and someone else owns them. For example, one of our biggest concerns -- I won't name the name of the establishment -- but there are, I think, 73 units owned by 43 different

investors. So you can see-- The people who own those apartments really are hardly ever on campus -- hardly ever at the apartments. So we've worked with Glassboro to partner to provide patrols of those areas on warm nights in the Fall and in the Spring.

We've also increased our enforcement of our own alcohol policies. We're doing that by providing better -- continuously providing better training for our residence hall staff and enhancing communication between the staff and the residence halls, as well as our public safety. And this has increased our ability to detect, investigate, and confront alcohol misconduct.

We've also added more than \$650,000 in new funding in our Public Safety Department just in one year. We've added police forces -- excuse me, some new members to the police force, and we've also improved our ability to conduct investigations.

Like some of the other institutions, we have fines for alcohol violations. And when we-- I think this Fall alone, we've charged students \$30,000 in the first -- I think it's \$30,000 in fines in the first couple of months. So we're using that money to put back into education and educational programs.

We also modified our parental notification policy so that we can -- to give us greater latitude to notify parents when there's underage drinking.

I want to share a couple of -- some information about what we look at as the preliminary impact of some of the initiatives. Our Rowan After Hours Program, which I've described before, now is on four nights of the week -- three nights of the week. The student participation speaks to its

effectiveness. In September 2008 alone, we had 3,453 students participating in those weekend programs. That is 3,453 students who last year would have been looking for parties where, undoubtedly, there would have been drinking. Instead, they're on campus enjoying interactive activities and alcohol-free events.

Our mandatory substance abuse education classes: Between November of '07 and August of '08, 186 students who were violators participated in a mandatory substance program. With increased policy enforcement, we expect this number to continue to increase. Regarding seniors, in September and October alone of this year, we had 102 students who participated. We do pre- and post-tests to show how much students know about the effect of alcohol and drugs, and policies, before they go into this education class. In the pre-test scores, they scored 58 percent; in the post-test, 91 percent. So, again, we're guardedly optimistic about the program we've initiated.

Our individual assessments: These are the three-hour assessments conducted for those students we feel probably have addiction problems. From November of '07 to August of '08, there were 47 mandatory and zero voluntary assessments. Within the first two months of the current academic year, we've had 32 mandatory assessments. What's most revealing is that 21 students have now come in for voluntary assessments. And this is a consequence of some of our new initiatives: the Dean going into the residence halls, talking to students. As he talks to groups, it's not uncommon for a student to come up afterwards and say, "You know, I have a problem. I have an issue. I want to talk to you about what's going on in my family."

The Center for Addiction Studies and Awareness -- Pam Negro is running it -- the same thing. During orientation, she spoke to the students. Students came up afterwards to say, "We're having these issues in our family." So that personal touch has proven to be very effective.

What we've seen is a decrease-- From September-October '07 to September-October '08, there was a 20 percent decrease in the alcohol-related local ordinance violations because many of our students now are coming back on campus for activities. The local ordinance violations are usually when our campus police arrest students or cite them when they're at the apartments immediately off campus. But now more students are on campus involved in activities.

At the same time we've had a decrease in those numbers, we've had an increase in the number of judicial affairs cases and suspensions from the University. That's not necessarily a bad thing because, again, we now, on our own campus, are catching students at a much earlier point. We don't necessarily have to rely on a police citation to identify a student with an alcohol or drug issue.

In terms of suspensions, last year we suspended one student from the University for an alcohol violation, and one from housing. This year, the figures are five students from the University and 10 from housing. So we've been very aggressive in enforcing our policies.

So for us it's a series of sticks and carrots to try and work with our students.

And to anticipate one of your questions, we have about 8,900 undergrads. We house about 3,000 of them on campus. We're in the process now of building -- engaging in an public-private partnership to

increase our housing by another 750 in the next two years, and then another 700 the year after that.

SENATOR TURNER: Thank you very much.

Dr. Pennington.

**K A R E N L. P E N N I N G T O N, Ph.D.:** I'm Karen Pennington. I'm Vice President for Student Development and Campus Life at Montclair State University.

At Montclair State, we take the issue of alcohol and drugs very seriously. Obviously, we believe that any activity that interferes with a student's ability to receive a degree and get an education works against our responsibilities to the State of New Jersey.

With regard to underage drinking, we take a two-prong approach. The first is enforcement, and the second is education. We are categorically opposed to drinking and driving, the abuse of alcohol and other substances by young people and other members of our community. And we've worked very hard to create a campus environment that discourages the overconsumption of alcohol.

At MSU, we vigorously enforce the law, and we have a zero tolerance for violations. We feel that that's an important part of the educational process. For those who are parents, I think sometimes you understand that the hard step is the developmental step that has to be taken.

Aside from an academic education, we believe that our goal as educators is also to help students develop as good, productive citizens of the state and the nation. And therefore, enforcing the law is an important part of that education.

But our primary responsibility is that of education: to teach our students and to train them and our staff to address not just the drinking of alcohol, but also the negative results that can occur from underage drinking and substance abuse. And some of those include personal safety, violence, vandalism, and most especially the physical and mental health concerns that accompany drinking and drugs.

It's important to understand, I think, the drinking behavior for many students, as has been said this morning, does not begin when they hit the door of a college or university. A recent report by the University of Pittsburgh showed that in a study of 452 children, nearly 40 percent age 8 to 10 had sipped or tasted alcohol. The researcher noted that, "People need to recognize that parents are not the only source of models for drinking to which children are exposed. They are literally bombarded by beer commercials on TV, by alcohol ads in magazines and on the radio, and characters in primetime TV shows; and even in half of all animated children's films, were shown alcohol. And that usually is without any negative consequences like bar fights, unwanted or unintended sexual experiences, or car crashes."

Thus, programs like Social Norms have been a very effective method of helping students rationalize (*sic*) their learned perceptions about alcohol. It's a program that has been effective nationally on many campuses since the mid-1980s. And I've personally worked with it at three different institutions in two states. And as we've said, social norming helps students recognize that students aren't drinking as much as they think they are, and therefore they change their behavior to not do what they think everybody else is doing just to be accepted.

Part of the reason for its effectiveness is due to the results of educational programs such as those provided by organizations as Outside of the Classroom, which show that comparatively few students actually are problem drinkers. In fact, many studies point out that the negative consequences of drinking on our campuses come primarily from the populations of students who are light to moderate drinkers and infrequent bingers. It is therefore our goal to educate students about who drinks, how often they drink, or how little they do before they, particularly new students, can become problem drinkers and adopt the risk and negative consequences of that type of behavior.

As has been mentioned at some of the other campuses, part of the programs that we're particularly proud of are our health promotion and education programs, and also our Center for Nonviolence, which also works with students to discuss some of those other consequences of drinking behaviors.

But despite all of that, problems still exist. While the issues of drinking and driving are considerable and well-known, it's also important to help students think about the dangers associated with walking and drinking -- as they walk to bars and to parties, falls and injuries that can occur inside of buildings -- and most especially the laws of the State and Federal government.

Through University resources, as well as with the assistance of the Rowan Grant, we've been able to provide Social Norms programming; AlcoholEdu, e-CHUG, and other online models; counseling and medical programs and groups; new student orientation lessons; countless bulletin

boards to our students. And with a student body close to 18,000, it is obviously not easy to reach them all.

Especially, Senator, to answer your question, we do not have nearly enough residence hall space for all the students who wish to live on campus. So most of our students commute, and it is harder to reach them.

But each year, for the past six years, we have spent approximately \$800 per undergraduate student on alcohol education, an amount equal to 30 percent of our direct State appropriation per student.

We're pleased to have this opportunity to talk about the possibilities of what else we could do to help impact, positively, student behavior. We don't feel that we can talk enough about this issue, as it is through such conversation and the sharing of ideas that more opportunities to help and educate our New Jersey students will result.

I thank the members of the Committee for this opportunity.

SENATOR TURNER: Thank you, Dr. Pennington.

Your college President, Dr. Susan Cole, was one of only three college presidents in the State of New Jersey to sign the Amethyst Initiative. Could you tell us what she had hoped to achieve as a result of signing that petition?

DR. PENNINGTON: I think what she hoped to achieve is exactly what is happening. It is the conversation about it. As has been said this morning, the 21 drinking age has helped, but it has not solved the problem. So in conversation, in discussion, we can all share and find out what else there might be that we could be doing to help impact our young people.

The Social Norms Program, for example, when it began in the mid-1980s, was one that was very difficult initially for the researchers to get people to understand and to listen to, because it was a new idea. And so it is through that conversation of expressing new ideas that she hoped we would be able to move forward.

SENATOR TURNER: Thank you very much.

And thank you all for appearing before us today.

DR. PENNINGTON: Thank you.

SENATOR TURNER: As we move along, we will now have Chief Glen Miller, Richard Stockton College of New Jersey Police; Chief Paul Cell, Montclair State University Police; and Vincent Markowski, Director of Ramapo College's Public Safety Department.

If you could, in the interest of time, summarize as best you can your comments so that we can bring additional people forward.

**CHIEF GLENN M. MILLER:** I think it's good afternoon. I tried looking at my watch. I couldn't see it.

SENATOR TURNER: Yes it is.

CHIEF MILLER: Again, I'm Glenn Miller. I'm Chief of Police down at Richard Stockton College, and I speak to you with two hats today. My second hat is as a member of the Executive Board of the New Jersey College and University Public Safety Association.

And from that Association and from the Chiefs of Police, we certainly thank you for taking the time for having this discussion. It's certainly a worthwhile discussion. We've heard a lot of good information today.

I would like to open my comments with some information that I believe the Committee will find useful.

First, alcohol and substance abuse are the most significant public safety issues affecting residential campuses in the state and throughout the nation. Second, most public safety personnel who work on a residential college campus will tell you that many of the (indiscernible) maintenance issues on a residential campus -- for example, vandalism, disorderly conduct, assault, noise complaints, etc. -- involve alcohol use or abuse.

With those statements, again, I'd like to thank you for inviting us here to provide some comments.

There has been a lot of work done at colleges throughout the nation to address the issue of alcohol and substance abuse. At Stockton, we have also been working on the problem. We had a Task Force formed by our President last April, and we've been working since April with that Task Force looking at not only our alcohol program, but the nationwide programs.

On that Task Force, the President included faculty; students; staff; off-campus partners such as Bill and Muriel Elliott, from the HERO Campaign, which is a nationally recognized program that promotes designated drivers. Those recommendations will be coming forward to the President. But one thing I can tell you we did find out as we reviewed the nationwide alcohol issue was that a multi-pronged approach to the alcohol problem needs to be continued. And when I say multi-pronged, I talk about policy, programming, partnerships, education, and enforcement.

When we talk about policy, a college needs to have a bold, defined, alcohol policy. The policy should be easily understood, enforceable, comprehensive, and it needs annual review. Concerning the Good Samaritan Policy, which you heard about already -- I will not reiterate that -- but that is a very effective component of any policy.

Regarding partnerships: You need to have partnerships not only on campus, but off campus. Mothers Against Drunk Driving you heard about, the Office of Highway Traffic Safety. Local tavern owners need to be included in your partnerships.

Programming: We've heard a lot about programming today on alcohol education. Almost every week on the campus there's a program to help educate the community. Students need this constant reminder. And many of these programs are actually student-driven, which is a very good thing.

In reference to education: it's a major part of any alcohol program. We work with faculty, and we work very extensively with that population to talk about responsible alcohol consumption. And again, we also heard about the social norming today, which has been a very effective part of any program, especially the one down at Stockton.

Regarding enforcement -- and I put that last for a purpose, even though that's my business. Even though you have the effective policy, good programming, excellent partnerships, and a comprehensive educational effort, there are times when only enforcement will work. I have Officer Taylor here with me today. I brought him up from Stockton. He received an award from MADD for his participation in the DWI program.

But again, at Stockton, we've only used enforcement as one component of the program. Enforcement alone will not solve the problem. We're dealing with a population of young adults age 18 to 22, and they are learning, most for the first time, how to live as a responsible member of a community. Students will make mistakes, many of which will become learning experiences and not lines on a rap sheet. However, when a community member does not learn, we need to take that enforcement.

Although our program at Stockton has been effective in helping to combat the alcohol issue, we don't claim to have all the answers, nor have we solved the problem. There is still much work to be done and more examination of how we approach the problem. It's a national problem where best practices remain in continual review and research. In higher education, we're always looking for the next best approach.

How can the Senate Education Committee maybe help in this effort? Two things I would suggest to the Committee: possibly a thorough review of the underage drinking statutes 2C:33-15 and 2C:33-17. I believe more effective State statutes to address underage drinking would greatly assist campus police departments specifically.

Secondly, I would suggest consideration of the forming of a statewide task force to examine best practices as they relate to combating underage drinking. This is not only a problem on college campuses, but it's also affecting high schools and many other areas of society where young people congregate. It is a societal problem that has been amplified on college campuses across the country. This task force of statewide experts could examine underage drinking and provide recommendations and resources to both the K-12 and colleges to help in addressing the problem.

In conclusion, I'd like to thank Senator Turner and the entire Committee for allowing me to testify at the hearing, and remind you that the New Jersey College and University Public Safety Association stands ready to assist you in your efforts at improving public safety at all our New Jersey colleges.

Thank you, Senator.

SENATOR TURNER: Thank you very much.

You're next.

VINCENT MARKOWSKI: Thank you.

Not to keep you longer, since Glenn Miller -- Chief Miller has come across--

At Ramapo, we're under a different situation. And our situation is that we're a security force, public safety force. We're not sworn officers. Our relationship depends on our relationship with the Mahwah Police Department. That Department and us have an excellent relationship, where we meet on a regular basis and are probably back and forth on the phone almost daily with representatives. The Mahwah Police Department has even assigned an officer to us who works with our advisory and other drugs -- our alcohol and other drugs committee. That officer is our contact should we have problems or find problems with off-campus sites where we believe we're having problems with our students. And that officer will contact our local department, and we'll work together with them to try to overcome that problem and work with that owner of the establishment.

Establishments have even come to our meetings on the Alcohol and Other Drugs committee. And one has even gone to the point of explaining to him that the size -- drinking was too much -- the sizes that he

was distributing. He even lowered that for us, which is a big step. And the fact that we work together -- and he realizes the concerns.

One of the concerns we see, though, at the college level is that local establishments and clubs have a handout that they give, or cards, and they're sending them out, passing them out, and leaving them around. That encourages our students to leave the campus. They even supply them shuttles. The way we handle that is, we immediately contact that owner, advise them that it's illegal to distribute on the campus, and that we do not like him distributing on the campus. They've been very good with us. The Mahwah Police, again, will step in at times and ask that establishment to cease, which brings it to an abrupt end.

But as Chief Miller said, and Chief Cell will tell you, the laws are not going to be the only thing that stops this. You need to continue with the education. Our education in our department, right now, is that our officers are even trained in identifying alcohol abuse, by counselors, so that they can file the proper forms and evaluations to bring to a counselor at the time when that student is referred to them.

Again, I thank you for the time to let us speak here.

SENATOR TURNER: Thank you.

**CHIEF PAUL CELL:** Hi. My name is Paul Cell. I'm the Chief at Montclair State University.

I'll try to not to repeat everything that's been said here today, and move on.

But at our university, we just have sworn police officers. We have no security or public safety. And I sit in kind of a unique position in, I'm one of the only law enforcement administrators who has 30 years of

campus law enforcement. So I was out there 30 years ago when the age was 18 to drink. And I'm still at the campus now 30 years later. I've seen the changes in how they affect the student population and how it affects crimes on campuses.

Our Police Department, as the other police departments, are fully trained in recognition for DUI, alcohol-related incidents. We work in a zero-tolerance institute, where the University has a hands-off approach to law enforcement, and we're proud of that. We effectively made 113 arrests last year from underage drinking, and we continue to make arrests throughout the year. Once the arrests are made, then the University is made aware of the situation. The educational aspect of it comes into place.

We work with outside agencies also. As a member of the County Police Chiefs Association, we work closely with all the county agencies that are involved. We also respond to different towns. Now we have an agreement with the local towns that if there is a response in their town to a house that may house our students -- alcohol-related or any other type of crime -- we send an officer there to be present so that we can bring it back to the school and let them know what's going on.

But what I'm really proud of -- and I can go on with this -- what I'm really proud of at Montclair State University is, we have recognized, like everyone else, that law enforcement is clearly not enough. It's an important part, it needs to be done, but it's not enough. And the educational aspect of it is imperative.

But there's more. When we start looking at what's out there, when we see that we have the professional program going on, the peer programs going on, and law enforcement -- all three working collaboratively

-- we're still missing something, because there is still underage drinking occurring. At Montclair State, we are looking at new and innovative ways to reach that group that we have missed, that we continue to miss. That is-- There's a large group out there that doesn't make it to the formalized training or isn't in the area where they can reach their peer audience.

How do we get to those people? We have done it, and we continue to do it, through outreach; not only at the University, but making sure we bring in our community members -- our surrounding community members. That includes families. Somebody talked about it before. Family is important. I sit here as a father of four and grandfather of three. So believe me when I tell you family is everything to me. And we have to start looking at our students, at our population, as our kids that we need to take care of. We have to make sure that we change the culture of the University today, that everybody believes they are part of the solution, not just the professionals in their respective fields. And I believe at Montclair State University, that's exactly what we're doing. We have new, innovative programs that I can sit here and go over for the next hour, but nobody wants to hear it. But we will present them to you. They reach out to what we believe are the groups that have been missed traditionally throughout the years.

Is alcohol -- underage drinking still going on? Absolutely. But I believe it's this type of aggressive, out-of-the-brochure-box thought process that's going to get us to reach more of the people out there who are continuing to drink. And I believe, and I agree with Director Oates, that if we are looking at best practices, we have to make sure that we don't fall

into the pitfalls of that cookie-cutter approach. We have to recognize each university is different and go on its own merits.

Again, one other area that hasn't really been touched on here but is part of my forte in law enforcement, and that is the affects of alcohol on sexual assaults. When we start looking -- that 80 percent of nonstranger sexual assaults involve alcohol, those numbers are astounding. We have to make sure we get this information out. We have to make sure we address this vigorously to ensure those numbers drop.

We have a commitment, I believe, to the people we serve. I look at our students like my children. I will protect them in the best way I can. And we have to change that philosophy at all our universities and at the State to ensure that they are protected.

I want to thank you, Madam Senator, for your time.

SENATOR TURNER: Chief Miller, do you have any suggestions, in terms of the changes for the laws that we currently have -- how we can better improve those laws to cut down on teen drinking and binge drinking?

CHIEF MILLER: I do. The 2C:33-17 is a disorderly persons offense. You provide alcohol. I believe you heard Director Fischer talk about it. But a bar providing alcohol to a minor is a disorderly persons offense. It's a \$100 fine. I mean, yes, there are other things that can happen on a second or third offense, but it's a \$100 fine. That's not big. We might want to consider strengthening that a little bit.

The second statute I mentioned was 33-15. I'm not sure how many people are actually aware that that statute does not really prohibit underage drinking. It prohibits underage drinking in public. On a college

campus, as we've heard today, a lot of the drinking goes on in private. I think the law was written in 1978 with the purpose to allow for certain religious services or maybe family services -- to allow for alcohol consumption underage. I think today you might want to consider maybe just refining that statute and making it an actual violation to drink underage as opposed to just drinking underage in public.

SENATOR TURNER: Thank you very much.

Chief Cell, you mentioned parents. And I too believe that the parents have a very critical role if we're going to change this whole culture of teen drinking, or underage drinking, or binge drinking. What do you do at Montclair State University in terms of bringing the parents into the process? Are they notified if their sons or daughters are drinking on campus and they're underage or involved in binge drinking at all?

CHIEF CELL: Under the law-- As far as the Police Department is concerned, we do not notify the parents. And I know administratively they have policies that are in place that do protect the students because of their age being 18 years old. But what we try to do is do programming prior to them coming in. We reach out, we go to towns, including our law enforcement-- I have my crime prevention unit that goes into schools. We speak to parents before the students are coming to college. We hit them. We try to get them at the junior high level. We've spoken in schools at the high school level. We want to reach the parents; as well as, of course, parent orientations when they come to the University.

But we believe it has to happen before they get there. When we're talking about putting laws in place, those are also laws we need to look at to make sure something is in place -- where educational

opportunities are in place ahead of time, that we really approach it as vigorously with alcohol as we have been doing with drug education. And the parents need to be brought in. And whether that means going to community groups, which we do, we need to really get the parents to buy into it. And we need to change those social norms of this drinking underage as just part of a rite of passage. That has to be changed. And until it starts, I believe, in the home, it's not going to change completely. We're going to do all we can. But we need to start there and let them know.

Dr. Pennington spoke about the media, and television, and movies. Again, when you watch it, everybody believes it's part of what you go through in life. That's really the culture we have to change. And I think we have a real up-hill battle. But I think this is a fantastic start to it.

SENATOR TURNER: Okay. Thank you very much, gentlemen. I appreciate your time and your testimony.

We're now down to the last two, Dr. Riccards, Executive Director of the Hall Institute of Public Policy New Jersey; and Diane Litterer, Executive Director of New Jersey Prevention Network. Would you come forward, please?

Go right ahead.

DIANE LITTERER: Thank you very much, Chairwoman Turner. I really appreciate being able to speak to you today regarding such an important issue.

SENATOR TURNER: Excuse me.

MS. LITTERER: My name is Diane Litterer. I'm from the New Jersey Prevention Network. We are a statewide network of substance

abuse prevention agencies with a member agency in every county in New Jersey.

Obviously, due to time, you have my full testimony with the full packet, and I will truly keep it brief.

NJPN provides prevention programs for children as young as Kindergarten all the way through high school, college, and community, and parents. So there was much discussion that this issue does not start on college campuses, that we need to continue to expand the prevention programs that we provide to our youth and parents in preparing them as they move through life, including through their college experience.

Several years ago, NJPN and several other State entities agreed that underage drinking was a significant issue that needed to be addressed. We developed the Childhood Drinking Coalition, which consists of many partners. It's funded through the Division of Addiction Services. Some of the key partners are the Partnership for a Drug Free New Jersey, GCADA, NCADD of New Jersey, the College Consortium, and many others. That group did decide to focus on the 10- to 14-year-old age groups, since the average age of first use in New Jersey is 11 years old. And we named it the Childhood Drinking Coalition in order to really focus that often underage drinking -- you kind of direct your attention to the 18- to 20-year-olds, which has been much of the discussion today, but alcohol use unfortunately begins as early as 11, and sometimes earlier.

The issue of underage drinking is a comprehensive and complex problem, as has been noted today. And it's going to take a comprehensive and complex solution. Many of the programs that were noted today, mentioned by many of the colleges, that are currently being implemented

are part of the solution. We need to make sure that we're looking at these successes and these successful programs, as well as the research that we do have behind us, in keeping our colleges and our youth alcohol free.

We don't have one simple solution, and it's not going to be one simple answer to the problems that we have to address. But we do know that children who drink before the age of 15 are five times more likely to have alcohol problems later in life. Also, research shows that our brains continue to develop into our early 20s. And introduction to alcohol prior to that complete development can have long-lasting impact.

Often today it was also mentioned about the 21 drinking age. And really, all of the research shows that that is one of the most effective intervention components that we have. Often Europe drinking rates are looked at -- and really in a myth way -- that drinking in Europe is less and less of a problem than here in the United States. But in reality, the United States has one of the lowest drinking rates among 15- to 16-year-olds compared to all other European and other countries throughout the world. And often -- including New Zealand and France that are often kind of raised up there as possible -- having lower drinking rates and more responsible drinking -- are now looking to the United States to look at what we're doing here to keep our drinking rates low. So as much as one child being affected by underage drinking is a problem, we do have the solutions, and we are implementing them. But as with everything else, more programs are going to be more effective to reach out to more children and more parents. And also the environmental strategies that, in some regards, the colleges were making reference to, are really the most significant in changing the environment so that it's a clear, no-use alcohol message to our kids.

And the adults within the communities are reinforcing that message so that the kids are getting a clear message of no-use.

Thank you.

Just one other thing: I just encourage you to use the resources that are available and the research that is available in New Jersey. You do have a lot of agencies that are working full-time on these efforts -- and to consider utilizing those resources that are available in strengthening them, and working with the colleges and schools to encourage more prevention programs.

SENATOR TURNER: Okay. May I have one minute to ask you a question? You mentioned that we're so-- I guess we drink -- our young people drink more here and abuse alcohol at an earlier age than Europe or other countries. Why do you think that's the case?

MS. LITTERER: Actually, research shows that our youth are drinking less -- binge drinking less than European countries. So it's sort of two combinations. One is that kids are drinking -- starting earlier at 11 years old. So that's one statistic that we try to work on with parents. Because often parents don't think that they need to address the issue of underage drinking with their children until they get to high school, and many kids begin drinking in middle school. So we're trying to get to the parents to educate them that this is an issue that needs to be addressed early.

SENATOR TURNER: Are the parents in other countries talking to their children earlier about responsible drinking?

MS. LITTERER: I don't think so. And I think that the issue of the laws being lower minimum legal drinking age is causing a lot of issues,

because it's not giving a clear message to the kids that underage drinking is unacceptable, or that younger age responsible drinking is acceptable.

SENATOR TURNER: Okay.

MS. LITTERER: And there's a chart, in the materials that I've provided you, that shows the graph which shows the United States actually has lower binge drinking rates than European countries.

SENATOR TURNER: Okay. Thank you very much.

And I'd like to thank all of you for being here today and participating in this very important topic. And we've heard a lot of great information, and we have gained a lot of insight. And it's been most sobering. (laughter) And we're going to use that information for us today. And if it's necessary, we will have legislation to implement much of what has been said here today.

Thank you so much.

**(HEARING CONCLUDED)**