

To Drink or Not to Drink

Dry dorms aren't fly; wetter would be better



KASEY KERBER is a senior news-editorial major and a Daily Nebraskan columnist.

I am not a drunk.
But I do enjoy a drink every once in a while.
I am not poor.
But you bet your buttocks I clip coupons.
What do the two of these seemingly point-less deep confessions have in common?
Simple. I can't drink in my dorm room.
Therefore I must hit the bars and waste my whopping \$15 Daily Nebraskan columnist paycheck every time one of my friends turns 21.
I know what you're saying: "Cry me a river, Kerber. So you can't drink a Corona in your room with a big-ass slice of lime you cut too large to stick through the neck of the bottle. Why should I care?"
And to a certain extent, you're right. Maybe you shouldn't care.
But for those of us who have survived three years of cafeteria casseroles, we do care.
We've ridden elevators seemingly run by gerbils. We've watched our rates go up every single year. We've seen our parking permits become hunting permits.
And you know what we deserve? (No, not another "Baywatch" marathon.) We deserve a beer.
But unfortunately, we live on a campus that has a drier image than the scalp of a dandruff sufferer.
Yet it's just that. An image. A facade.
There are dorm residents out there that get so plastered that they hand the officer their credit card instead of their ID.
And there are dorm residents drinking Jack Daniels straight from their rented Microfridge.
There are also dorm residents driving to off-campus parties where they actually can drink — only to drive home so intoxicated that you could light their breath on fire.
As Pound Hall president, I'd like to think that most dorm residents are responsible — especially the upper-class ones of drinking age.
But not always.
And it's not like housing gives us many options.
Let's face it — if students were able to drink legally in their room, they might never have to get behind a wheel or be tempted to do so.
Sure, you might catch a glimpse of them "missing" the entrance to their dorm room a few times after a return-trip from the bathroom, but beyond a few slight bruises, no real damage would be done.
In addition, cheap students like me would be able to avoid the Friday night madness of downtown, where I'm pretty sure the odds of getting a beer bottle broken over my head are higher.
Still, this isn't just a matter of safety or economics.

It's a matter of rights.
The way I see it, when you turn 21, you earn the right to drink.
And, while I understand it's the university's right to look out for the safety and community of residence hall students, I also feel I've been stripped buck-naked of my rights.
I don't believe any serious consideration has ever been given to the responsibility of upper-class students. Instead, all I ever hear are horror stories committed by a dozen idiots that conceivably wouldn't know the difference between responsibility and buttered bread.
In my book, without giving consideration to responsible 21-year-olds, administration is being far more irresponsible.
So, you might ask, is there a solution? Probably not.
For as hard as I might try, stubborn minds will remain in the positions where policy gets a green light.
But that doesn't mean I won't offer a solution to get conversation, and minds, moving.
First, create a special "community" floor for 21-year-old drinkers — similar to the "healthy lifestyle" or "community service floors" that were created last year.
Employ responsible, specially trained SAs and have an open-door policy, where drinkers have to leave their door open while consuming. This will make it much harder for those who aren't 21 to have drinks without getting caught.
And institute a limit on the amount of alcohol a student can have in his or her room (maybe a 12-pack of beer).
But quit telling me that dry is fly. Because I'm no longer buying it.
After four years of being dedicated to residence hall living, I'm growing tired of shrinking benefits and rules that never change.
Yes, I'm tired of hearing about the "dangers," all the while never receiving a single ounce of consideration for being responsible.
And I'm not alone.
There are plenty of bottles in the dorm trash chutes to attest to that.



MATT HANEY/DN

Drunken drivers beware; repercussions ahead



TIM SULLIVAN is a third-year law student and a Daily Nebraskan columnist.

If you drink and drive, listen to this: I don't want to see your face.
Perhaps you remember Laura Cockson. She was a pre-occupational therapy major and a member of the Gamma Phi Beta sorority at UNL last spring. She was killed by Jeffrey Ireland, a drunken driver who sped through a red light after a police officer attempted to pull him over because his car had no license plates.
Pretty stupid on his part, wouldn't you say? He'll find out just how stupid when he's sentenced this afternoon. But Ireland is not the only drunken fool out there.
There are others. Lots of them.
When asked if he had any disabilities that would interfere with his performance in a field sobriety test, one suspected drunken driver told the officer the only thing that might interfere with his performance was the fact that he was drunk.
Another inebriated motorist told the officer he couldn't do the field sobriety test because he was paralyzed.
One drunken driver left the scene of a personal injury accident. He left a blood trail to his home, however, and officers discovered the naked man hiding in his basement.
How do I know these things, you ask?
I work as a law clerk for the Nebraska Department of Motor Vehicles. My function there is to process appeals from administrative license revocations for driving under the influence of alcohol.
I've been at the job for about a year now. I see an average of 30 or 40 appeals to the District Courts every month.
Here's the way it works.
When you're stopped by the police and they have probable cause to believe that you are operating a motor vehicle under the influence of alcohol or drugs, they can request that you submit to a field sobriety test and/or a preliminary breath test.
Normally, if you fail the field sobriety test, they ask you to submit to a preliminary breath test.
They use a small, hand-held device called an Alco-Sensor to do the preliminary breath test. If you fail that, then they place you under arrest and take you somewhere to take an Intoxilyzer test.
You blow into the Intoxilyzer, and if you're over .10, you're cited for driving under the influence.
They also confiscate your driver's license, right then and there.
The officer then fills out a form that serves to notify you that, unless you ask for an administrative hearing within 10 days, your license will automatically be revoked in 30 days. The officer gives you a copy of the Sworn Report, which serves as your temporary license during that 30 days. They also give you a Petition for Administrative Hearing, and an envelope in which to mail the completed Petition to the Department of Motor Vehicles.
You have 10 days in which to file the petition requesting an administrative license revocation hearing. If you don't request the administrative hearing, then your license is suspended for either 90 days or one year, depending on whether you refused the test or had a previous administrative license revocation.
Then you appear at the hearing, normally with an attorney. The only issues at the hearing are whether or not the officer had probable cause to believe you were driving under the influence of alcohol, and whether you can show by a preponderance of the evidence that the recitations contained in the sworn report of the officer are false.
In other words, was there probable cause and is the report true?
If the answers to those questions are yes, then your driver's license is revoked for 90 days, assuming it's your first administrative license revocation.
An order revoking your license is then sent to you by certified mail.
You have 30 days to file a Petition for Review of Agency Decision in the District Court of the county in which the arrest occurred.
That's when I see the faces of these people. When I get their appeals, I pull their files, and I find their driver's licenses stapled inside them.
I get a good look at the faces of these people.
On the criminal side, a conviction means a mandatory seven days jail, \$400 fine and a six-month license suspension.
If driving under the influence is the proximate cause of serious bodily injury, then it becomes a Class III felony, punishable by 20 years in prison, a \$25,000 fine or both. The mandatory minimum is one year.
That's serious time.
In talking to some of the 20 or so lawyers employed by the DMV and from reading the transcripts of some of the hearings that get appealed to the District Courts, I've heard a lot of humorous stories about drunken drivers.
For example, one frequently heard reason for stopping someone is that the officer sees vomit running down the driver's-side door.
One attorney told me about a guy who had only one hand, but was made to do the "finger-to-nose" field sobriety test by the officer nonetheless.
Sometimes, the drunken driver sticks his or her head out the car window and asks an officer for assistance with something, like finding the ignition.
Along with the humorous stories, I've heard some horrid ones.
A Columbus woman ran into a train while driving under the influence of alcohol.
One young man crashed into the back of a bus in the middle of the day. And that's got to be an embarrassing story to tell.
In 1998, the Nebraska Department of Motor Vehicles Legal Division conducted 3,748 hearings for administrative license revocations. There were 8,869 administrative license revocations statewide for driving under the influence during that same period.
In Nebraska, approximately 1,000 people are arrested for driving under the influence every month.
The Lincoln Police Department reported an increase of 23 percent in 1998 of the number of people it arrested for driving under the influence. They arrested 1,551 motorists in 1998. Of those, 229 involved accidents.
One motorist told a hearing officer at the DMV that he knew he was too drunk to drive, so he made his friend get out of the car before he drove.
My friend Jim and I went to the Zoo Bar and rocked to the tunes of the Bel-Airs a few nights ago. We both drank too much, too fast.
I tipped the bartender five bucks and asked him to call us a cab. Not only did he call us a cab, but the bartender took the seat by the door after he made the call and made sure we were alerted when our cab arrived.
We both got home safe that night. Neither one of us picked up a DUI and lost our license.
If you drink and drive, stop.
If you must drink, have a designated driver or call a cab.
I saw Jeffrey Ireland's face.
I don't want to see yours.