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Too Young: El Paso Ordinance Curbs Underage Drinking

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The 16-year-olds tentatively approach the Santa Fe bridge border crossing in El Paso. Their goal is to meet other classmates at a local bar in Ciudad Juárez. Although the drinking age in Mexico is 18, the youngsters know their IDs likely will not be checked once they cross. Older siblings, cousins, and acquaintances all have gone to Mexico for years to take advantage of its more lenient drinking laws.

But this group will not succeed. A police officer approaches and asks for identification. They reluctantly comply. The officer makes it clear they are in a curfew zone area in which they are not allowed without a guardian and they will be fined if they enter the zone again without guardians. He asks them to leave. Disgruntled, they turn around, the first of many who will run into El Paso's recent city ordinance to curb the public health threat of underage binge drinking in Juárez.

The ordinance, which took effect in March, bars anyone younger than 17 from being in neighborhoods around the city's two downtown international bridges after 7 pm, unless they live there. Violators will be fined up to \$500, depending on how many times they have been arrested in the enforcement zone.

Of course, teen drinking is not limited to El Paso. Texans Standing Tall, a statewide coalition that works to prevent underage drinking, reports that the average age for first use of beer is 12 in Texas and that alcohol continues to be the most widely used substance among students in grades 7 through 12. The coalition also says Texas leads the nation in alcohol-related deaths among young people.

For years, San Diego and El Paso have been easy crossing points for young people wanting to take advantage of the lax drinking law enforcement in Tijuana and in Juárez. San Diego was the first to prohibit teenagers younger than 17 from entering Mexico without guardian supervision. Margaret Bartoletti, director of the Rio Grande Safe Communities Coalition (RGSCC), says San Diego's ordinance has been successful and was a model for El Paso's effort.

Ms. Bartoletti says representatives of the Pacific Institute for Research and Evaluation (PIRE) came to El Paso six years ago to study underage drinking there. PIRE picked the area because it was similar to San Diego-Tijuana.

"PIRE began conducting anonymous surveys on El Paso's border bridges to determine the intoxication level of teenagers returning from a night in Juárez," Ms. Bartoletti said. "Representatives stood at the bridges and offered incentives (such as lottery tickets) for teenagers to take a breathalyzer test and to answer questions anonymously. The teenagers were often inebriated and thought participation was funny."

PIRE determined that about 1,000 kids, some as young as 12, were crossing into Juárez every weekend.

"Anyone who has been to the international bridges on a Friday or Saturday night knows that underage drinking is a dangerous problem here in the El Paso-Juárez community," said U.S. Rep. Silvestre Reyes (D-El Paso).

A 2004 University of Texas at El Paso study revealed high school students who drink in Mexico are six times more likely to binge drink, five times more likely to drink and drive, and three times more likely to ride with a driver who's been drinking. Additionally, researchers found the students' rates of binge drinking and driving drunk exceeded state and national rates. More than 1,350 El Paso high school students aged 13 to 19 were surveyed for the study.

Ms. Bartoletti says drunken driving accidents, rape, and violence are just a few examples of the trouble young people get into during their trips to Juárez.

Physicians Weigh In

El Paso gastroenterologist John Melvin Tune, MD, knows all about the problem. As former chair of the board for the El Paso City-County Health and Environmental District, Dr. Tune knew many young El Paso residents were crossing into Juárez specifically to binge drink. The father of five children also heard stories from his eldest.

"This has been a horrible situation. Kids as young as 12 going across the border, becoming intoxicated, young women assaulted, young men attacked, teenagers being arrested in Mexico. The community had to do something," he said.

After PIRE released its results, RGSCC began an aggressive effort to pass a city ordinance to prohibit anyone younger than 18 from crossing the border without a parent or guardian. Dr. Tune, part of the RGSCC board, brought the issue to the attention of the El Paso Medical County Society.

Physicians quickly supported the ordinance campaign, as did the El Paso City-County Health and Environmental District. Kathryn Zerbach, MD, the former medical society president, Dr. Tune, and several other physicians testified in favor of the ordinance at city council meetings. So did law enforcement officials, El Paso residents of all ages, and New Mexico residents whose children also cross into Juárez to drink.

Ms. Bartoletti says the medical community's support was essential to the eventual passage of the ordinance.

"It was instrumental that each time we went before city council we had different people speak. It looked like it wasn't just the coalition, but the community that wanted this. I can say without doubt that the ordinance would not have passed had it not been broadly supported."

Despite strong support from both health and law officials, city leaders resisted the ordinance because of concerns it would infringe on citizens' rights. RGSCC was told such an ordinance could exist only if approved by the Texas Legislature. A bill was introduced during the 2005 session, but did not pass. Despite initial defeat, RGSCC continued its campaign, which was bolstered when ordinance supporter John Cook was elected mayor. He was on the city council and knew why the ordinance was necessary.

"Mayor Cook supported the coalition's efforts and brought the topic before city council, knowing that the city attorneys had previously determined the city had no authority to regulate the border," Ms. Bartoletti said.

Then, she says, Dr. Tune's wife, Blanche, discovered that Austin had an ordinance prohibiting minors from being in zones adjacent to Sixth Street. "That was our saving grace. Ms. Tune testified before the city council, mentioning the Austin ordinance. Soon after, the city attorney stated publicly that he would work with RGSCC through the police department to see if there was a way to address the issue."

The Texas Medical Association supports legislation that would prohibit minors younger than 18 from crossing international borders unless accompanied by a guardian or with written consent from a guardian or parent.

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TMA Committee Battles Youth Drinking

Recognizing the damage that alcohol can do to young people, the Texas Medical Association Committee on Child and Adolescent Health prepared the following recommendations on underage drinking to be presented to the TMA the House of Delegates at TexMed 2006 in Houston this month:

- Support an open container law;
- Maintain the drinking age at 21;
- Support a zero-tolerance drunk driving law for people younger than 21;
- Encourage physicians and residents to screen for alcohol and substance abuse during routine history taking, to offer counseling and/or referral where appropriate, and to counsel young people on prevention;
- Recommend that medical school curricula, residency training programs, and continuing medical education programs emphasize all aspects of alcohol and drug abuse so that physicians will be better prepared to meet the health needs of a changing society;
- Minimize youth exposure to alcohol marketing and advertising through support of public policies that restrict alcohol advertising at youth events and in areas where youth congregate;
- Support advertising of pro-health messages to counteract alcohol ads in print and e-mail;
- Support mandatory, responsible beverage service training laws and favor reducing exemptions from penalties related to irresponsible alcohol service practices;
- Support keg registration policies;
- Encourage enforcement of laws related to alcohol and other substances and support increased resources for enforcement;
- Support restrictions on state agencies accepting alcohol and tobacco ads;
- Support graduated licensing policies that put restrictions on conditions that contribute to teen drinking and driving fatalities;
- Support legislation to reduce underage drinking; and
- Recommend beverages containing alcohol or resembling alcoholic beverages not be sold to children, whether or not such beverages are legally considered "alcoholic."