

Louisiana's New Anti-Hazing Statute

The law expands the scope of activities that constitute hazing and imposes criminal liability on individuals, colleges, universities, secondary schools, and organizations, such as fraternities and sororities, on both a local and national level.

What You Need to Know

- A person commits hazing when he or she performs an act associated with pledging, initiation, affiliation with, participation in, holding office, or maintaining membership in the organization that endangers the physical or emotional health or safety of another person. Acts may include:
 - (1) Physical brutality, such as whipping, beating, paddling, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity;
 - (2) Physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, or calisthenics, that subjects another person to a risk of physical or emotional harm;
 - (3) Activity involving consumption of food, liquid, or any other substance (not just alcohol) that subjects another person to a risk of physical or emotional harm;
 - (4) Activity that induces, causes, or requires an individual to commit a crime or act of hazing.
- This amendment revokes a previous law that allowed organizations to investigate hazing allegations for 14 days before alerting police.
- Now, any person serving as a representative, officer, director, trustee, of a national or local organization must report the hazing incident to law enforcement as soon as practicable under the circumstances, or else the organization will be subject to the following penalties:
 - A fine up to \$10,000
 - Forfeiture of public funds and rights and privileges to operate at host institution
- Any person who commits an act of hazing may be fined up to \$1,000 and imprisoned up to six months. If the hazing results in serious bodily injury, death, or the victim has a .30 BAC or higher, that person may be fined up to \$10,000 and imprisoned up to five years.
- Information reported to law enforcement must be completely unredacted, including the names of all individuals involved in the alleged hazing.
- Hazing victims will not be prosecuted.
- Consent to hazing is not a defense.

Action Items for National Organizations and Local Chapters:

1. Advise members of the definition of hazing and the corresponding criminal penalties. For instance, the definition of hazing is broad and includes actions such as forced or coerced consumption of any foods or liquids (not just alcohol).
2. Advise members that they must report hazing to law enforcement as soon as possible under the circumstances.
3. You must report all known details of the incident and the names of everyone involved.
4. Remind members that consent to hazing is not a defense.
5. Ensure that risk management policies reflect the updated definition of "hazing."
6. Remind members that penalties apply to actions against active members, not just new members (i.e. "pledges").
7. It goes without saying, but advise national and local leaders and advisors not to intentionally, inadvertently, or otherwise promote hazing. Again, take note of the *broad* definition of hazing.