



## **Pennsylvania'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:**

- **Definition of Hazing:** A person commits hazing when he or she causes, coerces or forces another individual to do any of the following acts for the purpose of initiating, admitting or affiliating that individual into the organization, or for the purpose of continuing that individual's membership or status in the organization:
  - (1) Violate federal or state criminal law.
  - (2) Consume any food, liquid, alcoholic liquid, drug, or other substance that subjects the individual to a risk of emotional or physical harm.
  - (3) Endure acts of a physical nature, including whipping, beating, branding, calisthenics, or exposure to the elements.
  - (4) Endure acts of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact, or conduct that could result in extreme embarrassment.
  - (5) Endure acts of a sexual nature.
  - (6) Endure any other activity that creates a reasonable likelihood of bodily injury to the person.
- Bodily injury is not necessary for criminal penalties to be imposed.
- A person commits "aggravated hazing" – a felony offense – if he or she commits hazing that results in serious bodily injury or death or that involves coerced or forced consumption of an alcoholic liquid or drug.
- Consent to hazing is not a defense.
- Fines against an organization can range up to \$5,000 for *each* hazing offense and \$15,000 for *each* aggravated hazing offense, and may include any other relief as a court deems "equitable."
- **If you see something, say something.** An individual who immediately contacts law enforcement or campus security for medical attention may be able to invoke a "safe harbor" exception.

**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 of the "safe harbor" provision. Link: [Safe Harbor Provision](#)
3. Remind members that consent to hazing is not a defense.
4. Ensure that risk management policies reflect the updated definition of "hazing."
5. Remind members that penalties apply to actions against active members, not just new members (i.e. "pledges").
6. 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.