



Ohio Prosecuting Attorneys Association

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Senate Bill 126
Written Proponent Testimony
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Chairman Johnson, Vice-Chair Cirino, Ranking Member Williams and members of the Senate Judiciary Committee, thank you for the opportunity to provide proponent testimony on Senate Bill 126 regarding hazing.

As this committee is aware recent, high-profile, tragic incidents at two Ohio universities have ignited a needed debate about hazing activities and behaviors, their harmful consequences, and the lack of appropriate legal consequences to hold those engaging in hazing accountable and to deter future hazing. Senate Bill 126 would improve prosecutors' ability secure justice for hazing victims like Collin Wiant and Stone Foltz in several important ways.

First, the bill expands the definition of hazing to include causing, forcing, or soliciting any act or coercing another, including the victim, to do any of several specified acts for the purposes of initiating, admitting, or affiliating an individual into or with an organization, or for the purposes of continuing or enhancing their status within an organization. Specified acts include acts violating federal or state criminal law, consuming any food, liquid, alcoholic liquid, or drug of abuse that subjects a person to harm, or causing a substantial risk of emotional harm to another. This expanded definition more accurately captures the activity of hazing than current law. The bill also increases the penalties for this behavior to more appropriate levels that are tied to the harm caused by the hazing activity with general hazing rises from an M4 to M1, hazing that results in physical harm rises to an F5, and more serious incidents of hazing that result in serious physical harm or death rise to an F2. Taken together, these two changes will allow prosecutors to more effectively prosecute these cases.

Finally, the bill creates a duty to report hazing if the hazing causes physical harm to anyone and criminalizes the failure to do so. One of the tragic things about some of these cases is that greater harms might have been prevented had someone merely called for help for the victim before things got worse. By creating a duty to report, Senate Bill 126 hopefully incentives getting appropriate actors involved sooner – either law enforcement or emergency services – so that more serious harm can be prevented.

Senate Bill 126 is a good bill that appropriately strengthens the state's response and creates a better deterrent to an activity that has tragic consequences for young people. We thank Sen. Kunze and Sen. Gavarone for their advocacy on this issue and encourage the Committee's favorable consideration.