



WE MUST PROTECT NEW MEXICO STUDENTS

New Mexico students deserve to be safe while attending college and participating in school-related activities. Unfortunately, recent incidents of hazing, sexual abuse and failure of school officials to adequately address these incidents have underscored the need for the state to take action. New Mexico is one of six states that does not criminalize hazing in some form. A priority the Higher Education Department, House Bill 225, Creating the Crime of Hazing, strengthens student protections by holding offenders criminally liable for hazing, creates a portal for students to report incidents of hazing beyond their campus, and takes a unified approach to addressing hazing across all New Mexico colleges and universities.

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Creates the crime of hazing as a misdemeanor.

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Creates the crime of aggravated hazing as a fourth-degree felony

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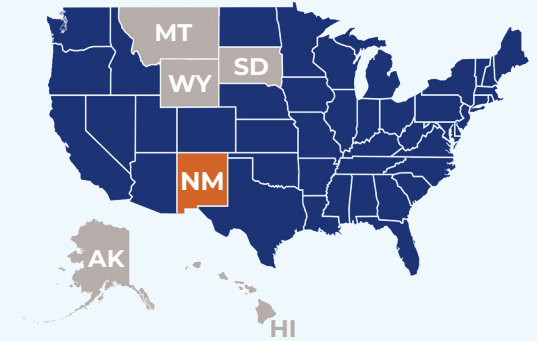
Creates a portal for the anonymous reporting of incidents.



ANTI-HAZING: THE STATE MUST HAVE A COMPREHENSIVE APPROACH

- ✓ Applies to **all** student organizations, teams and clubs, including:
 - ✓ Athletic teams
 - ✓ Fraternities and sororities
 - ✓ All student clubs, teams and organizations, whether or not they are officially recognized
- ✓ Provides penalties for coaches, professors or other staff members who knew about the hazing but failed to report it.
- ✓ Creates and funds an online portal for reporting, tracking and responding to incidents of hazing.
- ✓ Requires annual anti-hazing training and education for higher education employees.

ANTI-HAZING LAWS & INCIDENTS OF HAZING IN THE UNITED STATES



New Mexico is one of just six states and the only state in the Southwest without anti-hazing laws.

55% → More than half of college students involved in clubs, teams and campus organizations reported they experienced hazing.

74% of reported hazing incidents occurred within athletic programs.

73% of reported hazing incidents occurred within collegiate fraternities and sororities.

Source: STOP Hazing, 2024, stophazing.org



APPROPRIATION REQUEST:
\$500,000

To create, maintain and advertise an online reporting portal staffed by a full-time director and staff member. Higher Education Department staff will work in coordination with the Department of Public Safety and local law enforcement to report and address hazing crimes.



HOUSE BILL 225 DOES THE FOLLOWING:



Defines hazing, providing a clear and common definition to establish a unified approach toward the recognition, reporting, tracking, mitigation and prosecution of hazing. It defines hazing as an act intentionally or recklessly committed against a student or a prospective student of an educational entity:

- *In connection with initiation into, affiliation with, holding office in or maintaining membership in any student organization, student body or student athletic team or club, regardless of whether the organization is officially recognized, sanctioned, or authorized by the educational entity.*
- *When the act creates a substantial risk of physical or mental injury to the student or prospective student. Includes any act committed as part of a student's recruitment, initiation, pledging, admission into or affiliation with a student group that is likely to causes bodily danger, physical harm or serious psychological or emotional harm.*
- *Clarifies that consent or acquisition to the hazing activity does not constitute a defense.*



Criminalizes hazing, providing for two levels of applicable criminal charges, depending upon the severity of the hazing.

- *Creates the crime of hazing as a misdemeanor.*
- *Creates the crime of aggravated hazing as a fourth-degree felony, defined as hazing that causes painful temporary physical disfigurement or impairment or causes substantial mental harm.*
- *Perpetrators under the age of 18 shall be considered for services under the Delinquency Act.*



Criminalizes failure to report hazing, holding educational staff accountable for student safety.

- *A coach, professor or other staff member of an educational entity who knew about hazing and failed to report it can be charged with a misdemeanor.*

Establishes a hazing reporting portal at the Higher Education Department to track and address incidents of hazing at educational entities statewide.

- *Funds the creation of a statewide reporting portal to include a director and one part-time staff member.*
- *Requires educational entities to annually report hazing incidents to the Higher Education Department.*

Requires hazing prevention and reporting training for all higher education employees annually or upon hire.

“ The state in which a student chooses to attend college should not dictate the safety of students who may be at risk of experiencing hazing.”

*Dr. Elizabeth Allan & Meredith Stewart
Federal Anti-Hazing Legislation & the REACH Act: A Concept Paper*