

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
94th General Assembly
Regular Session, 2023

As Engrossed: H1/23/23
A Bill

HOUSE BILL 1159

By: Representatives M. Berry, Cavanaugh

By: Senator D. Sullivan

For An Act To Be Entitled

AN ACT TO PROHIBIT HAZING AT THE ARKANSAS LAW ENFORCEMENT TRAINING ACADEMY; TO DEFINE HAZING; TO ESTABLISH PENALTIES FOR HAZING; AND FOR OTHER PURPOSES.

Subtitle

TO PROHIBIT HAZING AT THE ARKANSAS LAW ENFORCEMENT TRAINING ACADEMY; TO DEFINE HAZING; AND TO ESTABLISH PENALTIES FOR HAZING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 12, Chapter 9, Subchapter 2, is amended to add an additional section to read as follows:

12-9-212. Prohibition against hazing – Definition.

(a)(1) As used in this section, “hazing” means:

(A) Knowing conduct on or off the property or training environments of the Arkansas Law Enforcement Training Academy by a student, instructor, or employee of the academy when the conduct is directed against any other person and done for the purpose of:

(i) Intimidating the person;

(ii) Attacking by threatening the person with social or other ostracism;

(iii) Submitting a person to ignominy, shame, or disgrace among his or her fellow students or acts calculated to produce such



results;

(iv) Humbling the pride, stifling the ambition, or impairing the courage of the person attacked;

(v) Discouraging the person from remaining in academy;

(vi) Causing the person to leave the academy rather than submit to such acts;

(vii) Striking, beating, bruising, or maiming;

(viii) Seriously offering, threatening, or attempting to strike, beat, bruise, or maim;

(ix) Seriously offering, threatening, or attempting to do physical violence to any person at the academy; or

(x) Assaulting a person for the purpose of committing any of the acts, or producing any of the results defined in this section; or

(B) The playing of abusive or truculent tricks on or off the property or training environments of the Arkansas Law Enforcement Training Academy by a student, instructor, or employee of the academy, acting alone, or acting with others, upon another person to frighten or scare him or her.

(2) "Hazing" is limited to those actions taken and situations created in connection with education or affiliation with the academy.

(3) "Hazing" does not include customary athletic events or similar contests or competitions.

(b)(1) All instructors and employees responsible for training, or who are assigned a position of authority in the academy, shall complete annual training concerning hazing and the prevention of hazing at the academy.

(2) All training materials under subdivision (b)(1) of this section shall be approved by the Arkansas Commission on Law Enforcement Standards and Training.

(c) A student, instructor, or employee of the academy shall not knowingly engage in hazing or encourage, aid, or assist any other student, instructor, or employee in hazing.

(d) A person shall not knowingly permit, encourage, aid, or assist another person in hazing, or knowingly acquiesce to hazing, or fail to report promptly his or her knowledge or any reasonable information within his or her

knowledge of the presence and practice of hazing to the Secretary of the Department of Public Safety for investigation.

(e) A violation this section is a:

(1) Class D felony if the actor is an instructor or employee of the academy and the actor:

(A) Allows or participates in the hazing of a student of the academy; and

(B) The hazing causes physical injury to the student; or

(2) Class B misdemeanor if otherwise committed.

(f) In addition to any penalty provided by this section:

(1) A student convicted under this section shall be expelled from the academy; and

(2) An instructor or employee of the academy convicted under this section shall be terminated from employment with the academy.

/s/M. Berry