

Understanding the Factors that Lead States to Adopt Anti-Hazing Laws

Rebecca Tyus

Department of Political Science
University of Colorado Boulder

Defended April 2, 2019

Honors Thesis Defense Committee

Dr. Kenneth Bickers, Thesis Advisor
Department of Political Science

Dr. Jennifer Fitzgerald, Honors Council Representative
Department of Political Science

Dr. Levente Szentkirályi, Thesis Committee Member
Program for Writing and Rhetoric

Abstract: What may cause a state to adopt an anti-hazing law or have a tougher anti-hazing law than other states? This paper looks at what factors may cause a state to have a tougher anti-hazing law. Such factors that were examined were political culture, and the number of hazing-related deaths prior to the law being passed. The results show that the number of hazing-related deaths is significant in determining if a state has a tougher anti-hazing law. In addition, the interaction between moralistic culture and hazing-related deaths was statistically significant. Factors that may cause a university to have a tougher anti-hazing policy were also analyzed. Such factors that were examined were political culture, the number of hazing-related deaths, having an anti-hazing law or not, and state toughness. It was found that having an anti-hazing law contributed to a university's anti-hazing policy being tougher and in some cases the state law toughness was significant in determining if the university policy could be categorized as weak or strong. Pulling this all together it would appear that having more hazing-related deaths leads to tougher anti-hazing laws and have anti-hazing laws or tougher anti-hazing laws then leads to tougher university anti-hazing policies.

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Introduction

In February of 2017, Tim Piazza, a 19-year-old sophomore engineering student at Penn State, was at the Beta Theta Pi fraternity house for a ceremony to accept a pledge and later died because of hazing that occurred at the fraternity house (Associated Press).¹ While at the fraternity house for the ceremony Piazza had to drink large amounts of alcohol and ended up falling down a set of stairs. Security cameras show that members of the fraternity half-heartedly or even counterproductively tried to help Piazza, but Piazza ended up spending the night on a couch in “visible agony”. In the morning Piazza was found unconscious but it took fraternity members another 40 minutes to call for help. Piazza died the next day in the hospital from head and abdominal injuries. After this tragic death from hazing, Piazza’s parents, Jim and Evelyn Piazza, become national advocates for anti-hazing measures.

In October of 2018 Pennsylvania signed a new anti-hazing bill into law. This law, named after Tim Piazza, has stricter criminal penalties for hazing and permits the courts to order the confiscation of fraternity houses where hazing has occurred. The new law requires schools to maintain policies to combat hazing while also requiring high schools, colleges, and universities to report hazing. Under the law, hazing is defined as conditioning acceptance into a group on breaking the law, consuming food, alcohol or drugs, putting someone in emotional or physical harm, brutality of a sexual nature, whipping, beating, branding, exposure to severe weather, sleep deprivation or extreme embarrassment. This results in tiers of hazing where the least serious forms are low-level violations, hazing that would injure is a misdemeanor, and acts that would result in severe injury or death are a felony. The law also includes a “safe harbor” provision that

¹ This source will be used for the rest of the paragraph and the next paragraph.
www.nbcnews.com/news/us-news/new-anti-hazing-law-signed-pennsylvania-after-death-penn-state-n922231

protects people from prosecution if they seek help for victims of hazing. The law took effect in November of 2018.

Hazing-related deaths are an extreme end to hazing activities but not all hazing activities end in death. A general definition for hazing that is used by different scholars and organizations that work to prevent hazing is “any activity expected of someone joining or participating in a group that humiliates, degrades, abuses, or endangers them regardless of a person’s willingness to participate” (Allan and Madden, 2008). Based on this definition, 55% of college students experience hazing; overall the most reported hazing behavior are drinking games (Interactive Hazing Data).² When looking at groups that take part in hazing on college campuses, 74% of those in varsity athletics experience hazing; 73% in social fraternities and sororities experience hazing (Hazing Reporting).³ Other groups where members experience hazing include club sports, performing arts organizations, service fraternities and sororities, intramural sports, recreation clubs, academic clubs, and honor societies (Hazing Reporting).³

To try to prevent the hazing incidents described above some states have adopted anti-hazing laws. Throughout the United States, there are 44 states that have anti-hazing laws and 6 states that do not have any law related to hazing. Within the states that have anti-hazing laws, the laws also vary greatly in severity.

Tragic incidents such as the death of Tim Piazza happen when different college organizations take part in hazing. Many times, hazing includes the actions laid out in the Pennsylvania law and results in physical and emotional harm. With these acts happening, it

² <https://www.stophazing.org/interactive-hazing-data/>

³ <https://www.stophazing.org/infographics/>

begs the questions of what would make a state adopt a law and more specifically what would cause a state to adopt an anti-hazing law. Why do some states have tougher anti-hazing laws than others? Does a tragic event such as the death of Tim Piazza have to happen in order for a state to realize the problem and do something about it? Or are there other factors that cause some states to have tougher laws than others in regards to hazing?

This paper will show that the number of hazing-related deaths in a state prior to the passage of the anti-hazing law is significant in determining if a state has a tougher anti-hazing law. Additionally, when a state's moralistic culture interacts with the number of hazing-related deaths it is significant in determining if a state has a tougher anti-hazing law. Then having an anti-hazing law or a tough anti-hazing law, in turn, is significant in determining if a state has a tougher university policy. The different variables that will be examined to look at this are state political culture, the number of hazing-related deaths, state toughness levels, the number of Association of Public and Land Grant Universities (APLU) members in each state and state population. Two states, Pennsylvania and Arizona, will also be examined closer to see how these results interact with the dialogue surrounding the passage of state anti-hazing laws.

Literature Review

Research on hazing legislation is sparse. As a result, to construct a theoretical framework for my analysis I integrate scholarship from a range of adjacent areas of research. There is literature that focuses on morality policy which can relate to anti-hazing laws as will be discussed further. Morality policies are policy areas where one segment of society tries to impose their values on the rest of society through the government (Meier, 1994: 4). Examples of such policies are drug, alcohol, abortion, and gambling related policies (Meier, 1994: 4). These

policies are usually salient and are redistributive in the fact that they redistribute values across society (Meier, 1994: 4).

Anti-hazing legislation would fall under the idea of morality policy. Anti-hazing legislation is legislation that works to force members of society to accept the value that hazing is immoral and should be punished. When there is a tragedy related to hazing the issue tends to become salient in nature as it captures the attention of the news for a period of time. These factors relate to the definition of morality policy where the policy involves imposing values on society and the issue being salient. Some may feel that hazing better falls under the category of assault or battery charges but hazing fits better under morality policy for several reasons. The first reason is that hazing does not always involve assault or a physical altercation. Hazing can include the requirement of humiliating behavior such as wearing certain clothing or acting a certain way in public which is not a physical altercation (Allan and Madden, 2008). Furthermore, in many cases, hazing is normalized as a tradition (Allan and Madden, 2008). Organizations that participate in hazing view the actions as tradition and do not always see them as harmful. This is similar to how some people may see gambling as harmless while others view gambling as a sin. In much the same way as gambling policy, anti-hazing policies are working to impose the value that hazing is harmful on society even as some groups may view hazing as a harmless tradition. Hazing certainly can be considered a morality policy but has yet to be analyzed in this way.

When looking at morality policy there may be different forces that contribute to the adoption of morality policy (Meier, 1994: 5). These forces include demand, attitudes, and salience (Meier, 1994: 8). Demand includes the idea that citizens have a demand for sin (Meier, 1994: 8). Some people have a small demand for sin while others have a much higher demand for sin (Meier, 1994: 8). Those that have a high demand for sin, and so sin often, then show the

general public the need for action and is then associated with calls for government action and morality policy (Meier, 1994: 8). Attitudes include an urban-rural dimension (Meier, 1994: 9). Prohibition was an attempt by white rural puritans to force their values on the rest of the country and contributes to the idea of rural areas being bigger advocates for morality policy (Meier, 1994: 9). While alcohol or prohibition by itself does not relate to hazing, hazing does relate in that anti-hazing policies like prohibition work to force certain values on the population. Furthermore, urban areas have more varied lifestyles where there are greater levels of tolerance and increase the visibility of sin and so more support for morality policies (Meier, 1994: 9). Salience can also be a force for citizens and political elites to see an issue and to try to address it (Meier, 1994: 10). These different citizen forces can affect the adopting of anti-hazing legislation.

After looking at morality policies, one can see several different ideas forming as to why a state may adopt a law or morality policy. Under the idea of a salience force, comes the idea of rational choice where if the issue becomes salient, state legislators will rationally pass a morality law. If hazing becomes salient because of a hazing-related death, then state legislators will rationally weigh the costs of more deaths against the benefit of an anti-hazing law and will then pass anti-hazing legislation. This works also in tandem with demand. With this idea, state legislatures may adopt morality policies because they are rational and held accountable by their constituents. Going off the idea of an attitude force, state legislatures may be forced to create morality policies because of cultural reasons. As a result, states with particular political cultures may be more likely to adopt these laws than others.

A. Legislative Accountability and Rational Choice

Constituents holding their legislators more accountable may affect whether a state passes a new law. If constituents hold their legislators accountable, then we would assume that state legislators would pass laws that constituents support. With this, we would expect to see legislators that vote with constituents reelected and those who do not vote with constituents not reelected. Literature on the subject has analyzed the influence of state, district, and candidate level factors on the reelection prospects of incumbents in state legislatures (Hogan, 2004). Under candidate level factors policy divergence from constituent values was examined to see whether or not the incumbent was reelected (Hogan, 2004). It was found that legislators who do not vote with constituency preferences receive fewer votes than incumbents who vote with their constituents (Hogan, 2004). Similarly, Hogan looked at whether or not policy responsiveness of incumbents affects their reelection prospects (Hogan, 2008). There is evidence at the national level for this and it was found that at the state level incumbents are slightly more likely to be challenged when their policies are farther from constituents (Hogan, 2008). With this one can determine if a legislator's policy responsiveness to constituents affected their reelection prospects.

There is also the idea that state legislators are rational actors that weigh the costs and benefits of anti-hazing legislation when the issue becomes salient or when they know they will be held accountable by their constituents. Research shows that when looking at rational choice theory in politics there are losers as well as winners and it can be assumed that politicians will want to be the winners (Riker, 1995). As a result, actors can order their wants or goals transitively and assign preference or utility to each goal to determine the desired outcome (Riker, 1995). Furthermore, other research shows that as the gains from a decision increase so does the

value in that decision or outcome (Tversky and Kheman, 1986). Subsequently, if state legislators see the benefits of a certain law, then they would be more inclined to support that law.

Furthermore, there are different ways that legislators can use rational choice and constituent values to form regulations and oversight. There is the idea of police-patrol oversight which is centralized, active and direct (McCubbins and Schwartz, 1984). With this model, legislators take their own initiative to examine agencies or actions to determine if there are any violations (McCubbins and Schwartz, 1984). The other model is fire-alarm oversight which is less centralized (McCubbins and Schwartz, 1984). This model allows the public and other groups to bring alleged violations to the legislators' attention, so the legislator can then take action (McCubbins and Schwartz, 1984). Under this idea, legislators do not look for violations but instead waits for alarms to sound about the violations and then act (McCubbins and Schwartz, 1984). An assumption in these theories is that legislators are motivated by being able to credit claim and so legislators seek to avoid blame (McCubbins and Schwartz, 1984). As a result, legislators tend to prefer the fire-alarm model for several reasons (McCubbins and Schwartz, 1984). A police-patrol model results in legislators spending time looking for violations but under the fire-alarm model legislators only address violations that potential supporters have brought to their attention and thus the legislator can receive credit for addressing the violation (McCubbins and Schwartz, 1984). Additionally, with the police-patrol method legislators could miss violations while in the fire-alarm model violations that harm constituents are brought to the legislators' attention and so violations are not missed (McCubbins and Schwartz, 1984). For these reasons the fire-alarm model is more effective and is preferred by legislators. With the fire-alarm model, violations that constituents care about are always caught and addressed allowing legislators to take the credit for the actions.

Bringing together the literature in this section, one may explain why legislators would choose to adopt morality policy. Legislators are held accountable by their constituents and if they do not listen to their constituents they are not reelected. Because legislators are rational actors it is reasonable to assume that legislators will then listen to their constituents in order to win reelection. Additionally, because they are rational actors they will recognize the costs and benefits of a law and pass laws that have increased benefits. The fire-alarm model connects these ideas as legislators being rational and using the fire-alarm model will listen to constituents that bring to their attention a problem or violation and then pass legislation that has many benefits to fix this violation. The fire-alarm model brings a potential issue to the attention of legislators. The legislators then respond in a rational manner; at the same time legislators are following constituent views for reelection and being rational in passing legislation with benefits.

Anti-hazing legislation can garner public support, especially after there is a highly publicized incident regarding hazing such as a hazing-related death. Using the fire-alarm model, when a hazing-related death occurs, the issue should become salient resulting in constituents letting their legislators know about the violation. It can be assumed that constituents will hold their legislators accountable to pass anti-hazing legislation. Based on the fact that state legislators' prospects of reelection do depend on policy congruence with constituents it is possible to see this accountability with anti-hazing legislation. Additionally, legislators are rational actors and will then take action when constituents sound the alarm of a hazing-related death. It can be assumed that the gains from passing an anti-hazing law will increase, due to the fact the law will save lives and help the legislator with reelection. As the literature suggests, it would then be rational for state legislators to pass stricter anti-hazing laws as the number of hazing-related deaths increase. When there is a hazing-related death, constituents raise the alarm

of the violation to legislators who should then rationally pass legislation to address that violation as the legislation save lives and helps the legislators reelection prospects through policy congruence with constituents.

B. Political Culture

One of the citizen forces previously discussed that can affect anti-hazing legislation is political cultures. Political culture can affect whether a state will adopt a law or not. Daniel Elazar found that the United States consisted of three different political cultures (Elazar, 1984: 115). These political cultures included moralistic, traditionalistic, and individualistic states (Elazar, 1984: 115). An individualistic culture views the government as a way to handle functions that are demanded by the people and as a result, these states will not initiate new programs unless they are demanded by the public (Elazar, 1984: 115-120). A moralistic culture has a view of commonwealth for the basis of government and as a result, a moralistic state will create new programs regardless of the absence of public pressure as long as the program is in the public's best interest (Elazar, 1984: 117- 120). A traditionalistic culture sees the government as an entity to maintain the existing social order and as a result traditionalist states will only create new programs if the program serves the governing elite (Elazar, 1984: 118-120). Elazar categorized states into these three main political cultures.

The three main cultural categories were analyzed again by several different authors over the years. Morgan and Watson updated the information with religious affiliation data and found that the categories still held (Morgan and Watson, 1991). The cultural categories were further updated when Lieske created his own state political culture categories (Lieske, 2010). These political cultures can be reduced to the original three cultures Elazar identified (Lieske, 2012). Under a moralistic culture, there is Nordic, Mormon, and Anglo-French (Lieske, 2012). An

individualistic culture includes Germanic, Heartland, Rurban and Global cultures (Lieske, 2012). Meanwhile, under traditionalistic, there is Border, Blackbelt, Native-American, and Latino (Lieske, 2012). Numerous scholars have found there to be a link between political culture and state performance. Morgan and Watson found that moralistic states have more innovative and liberal policies than traditionalistic states (Morgan and Watson, 1991). Johnson found that moralistic states care for people more and have more innovative policies while traditionalist cultures care little about public welfare (Johnson, 1976). Fitzpatrick and Hero found that moralistic states and individualistic states are more likely to have policy innovation or to adopt new policies than traditionalistic states (Fitzpatrick and Hero, 1988). Numerous scholars find that moralistic states are more likely to have innovative policies that focus on people, regardless of public opinion.

Anti-hazing legislation, while not discussed in the literature, would be a policy put forth by a moralistic culture. As previously discussed, morality policy is a policy where people try to force values on the rest of society and anti-hazing legislation would fall under this morality policy. Moralistic states are states that create legislation that is meant to benefit the public and the policy is usually innovative. Anti-hazing laws would be a law that a moralistic state would adopt as anti-hazing policies are meant to benefit the public in the way that it is trying to keep people safe from harmful hazing incidents. Furthermore, anti-hazing policies are innovative as not every state has an anti-hazing law and the legislation differs across states. If moralistic states adopt policies that are meant to benefit the public and that are innovative then anti-hazing policies would be created in moralistic states not only because anti-hazing policies are morality policies but also because anti-hazing laws work to benefit the public and keep the public safe while being innovative.

Theoretical Framework

The reasons discussed in the literature can contribute to why some states have tougher anti-hazing laws than others. One possible explanation involves the fire-alarm model. If it is assumed that state legislators follow the fire alarm model, then after there are hazing-related deaths constituents will bring this violation to the attention of their state legislature. Based on the literature, policy congruence with constituents is an indicator for state legislator reelection. Because state legislators are rational actors, state legislators will want to have policy congruence with their constituents and pass tough laws that their constituents support to benefit their reelection prospects. Additionally, state legislators will institute a cost-benefit analysis in the decision to create tough anti-hazing laws. When more people are victims of hazing or when there are more deaths related to hazing, then there would be a cost-benefit analysis for the public or state legislators and they would want to pass stricter laws instead of seeing more people hurt. Under the fire-alarm model, when there is a hazing-related death the constituents will sound the alarm to state legislators and as state legislators are rational they will pass tough anti-hazing laws. They will do this because of the benefits of saving lives and helping their reelection prospects. So, if a state has more hazing-related deaths, the state should then have tougher anti-hazing laws.

Hypothesis One: If a state has more hazing-related deaths leading up to the passage of the state hazing law, then the state will have a tougher anti-hazing law than states with fewer hazing-related deaths.

Additionally, a possible explanation is different state cultures. State cultures can greatly affect the severity of a state's hazing laws. States that have a more moralistic culture would be more likely to have tougher hazing laws. Moralistic culture states are more likely to create new

policies that are more sensitive to the welfare of people and are innovative in nature. Anti-hazing laws being a morality policy that works to keep people safe falls under this section of moralistic culture. Anti-hazing policies work to benefit the people and protect the welfare of the people as the laws try to keep people safe from future harmful hazing incidents. Additionally, anti-hazing laws are innovative as not all states have an anti-hazing law and the laws vary greatly across the states. Because moralistic states adopt laws that are sensitive to the welfare of people and innovative, then moralistic states will adopt anti-hazing laws as anti-hazing laws protect the welfare of the people and are innovative. As a result, states with a moralistic culture should have tougher anti-hazing laws than states with a traditionalistic or individualistic culture.

Hypothesis Two: If a state has a moralistic culture, then it will have tougher anti-hazing laws than states with a traditionalistic or individualistic culture.

Two controls will be used when testing these hypotheses. The two controls will be the number of Association of Public and Land Grant Universities (APLU) members and population for each state. Most hazing in states happens on college campuses so it would make sense to control for the number of universities in each state. This allows for the ability to control for states that may have a large number of universities and so more opportunities for hazing-related incidents. To determine the number of universities in each state APLU member universities were used. Population is also a valid control as it allows for the ability to control for large states that may have more population and the ability to have more hazing incidents.

Methodology

A. Data Collection

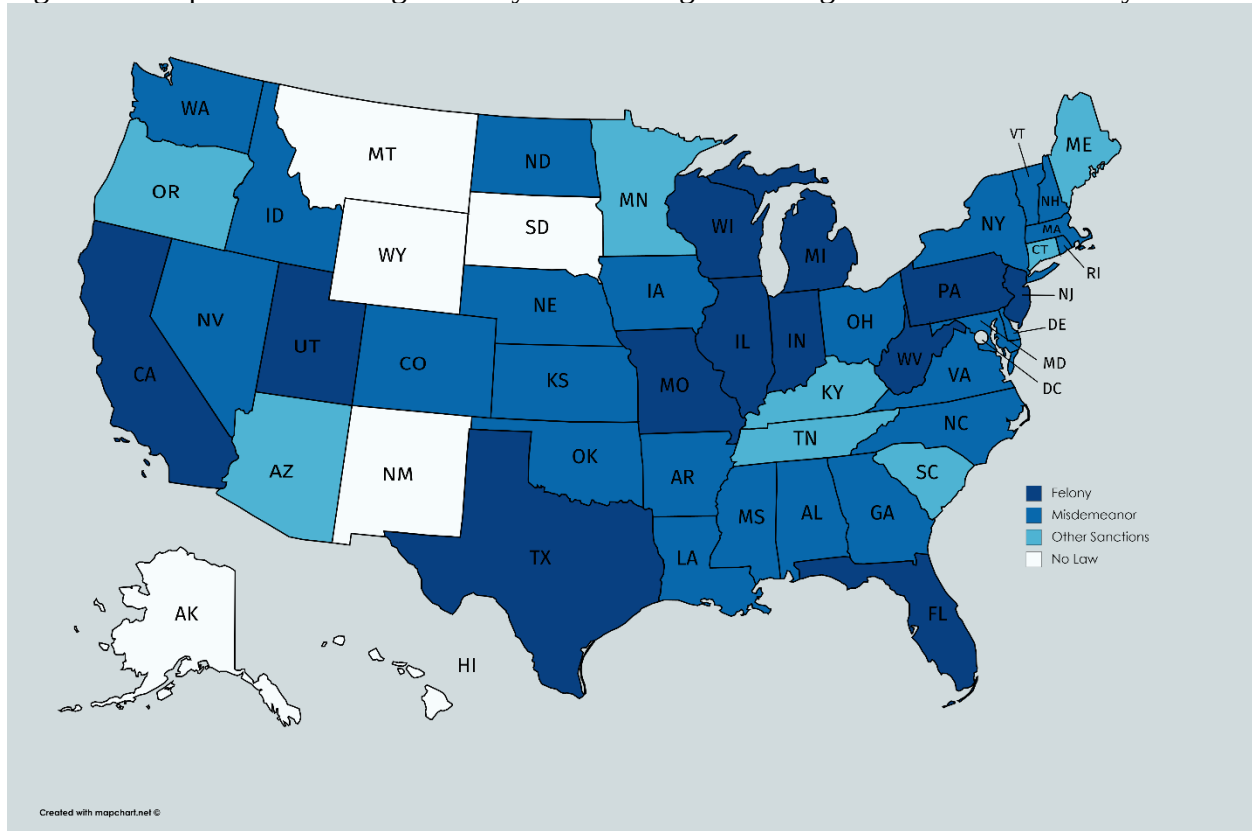
To test the hypotheses, data were collected from a variety of sources. Information from HazingPrevention.org and StopHazing were used to classify states into groupings ranging from tough anti-hazing laws to no anti-hazing laws. HazingPrevention.org is a nonprofit organization that works to prevent hazing (Who Are We).⁴ They educate, advocate, and engage communities about different aspects of hazing prevention (Who Are We).⁴ StopHazing is an organization that works to promote safe schools and colleges through research, information sharing, and development strategies (About StopHazing).⁵ An active member of the StopHazing organization is Dr. Elizabeth Allan, a professor of Higher Education at the University of Maine who has written two books and numerous articles on the subject of hazing (About StopHazing).⁵

There are several ways to categorize states into groups based on the information from HazingPrevention.org and StopHazing. States can be grouped by penalty and would then have four categories (see Figure 1 and Appendix Table 1). Penalties are what a person would be charged with if they were to be involved in a hazing incident. These categories include states with felonies as the highest penalty. Those states that have hazing as a felony are the states with the toughest laws. Then there are states with a misdemeanor as the highest penalty. There are also states with other sanctions as the highest form of penalty. Other sanctions are lesser penalties that are not misdemeanors or felonies. Lastly, there are states without any anti-hazing laws.

⁴ <https://hazingprevention.org/home/about/who-we-are/>

⁵ <https://www.stophazing.org/about/>

Figure 1 – Map of States Categorized by Anti-Hazing Law Toughness Based on Penalty



States can also be categorized in another way that includes looking more in-depth at the laws. This second way gives the states a numerical value ranging from zero to seven with the higher number indicating tougher laws (see Figure 2 and Appendix Table 2). After reading through all the state laws there are certain aspects that appear in laws that make the law tougher or weaker. A list of these aspects was created and then each state law was read to determine if the law had aspects that would make the law more or less tough. Aspects that add to the toughness of a state law is the punishment being a felony, a misdemeanor, other sanctions paired with a felony or misdemeanor, not allowing the cooperation of the victim as a defense, a list of prohibited actions, including mental and physical health in the definition, requiring a school policy, and having a failure to report penalty. Aspects that would detract from the toughness of the law would be if the highest punishment were only other sanctions, and if there were a list of

of work surrounding hazing deaths (Nuwer).⁶ He has a list of hazing deaths in the United States ranging from 1838 to the present (Nuwer).⁶ Nuwer has also edited and helped write a book titled *Hazing: Destroying Young Lives* that looked at the effects of hazing and hazing-related deaths (Nuwer).⁶ Additionally, Nuwer's work has been cited in an Economists article about hazing deaths in America (Data Team)⁷ and in Dr. Elizabeth Allan's article for the National Study of Student Hazing (Allan and Madden, 2008). The information about hazing-related deaths that Nuwer collected was used to determine the number of hazing-related deaths that occurred in each state prior to the state passing an anti-hazing law. In order to do this, first, the years each state passed their anti-hazing law were collected from different state legislature websites, emails with state legislature offices, and phone calls with state legislature offices. Then by going through the list of hazing-related deaths Nuwer compiled, each state was given a tally of how many hazing-related deaths occurred before the year the state passed their anti-hazing law.

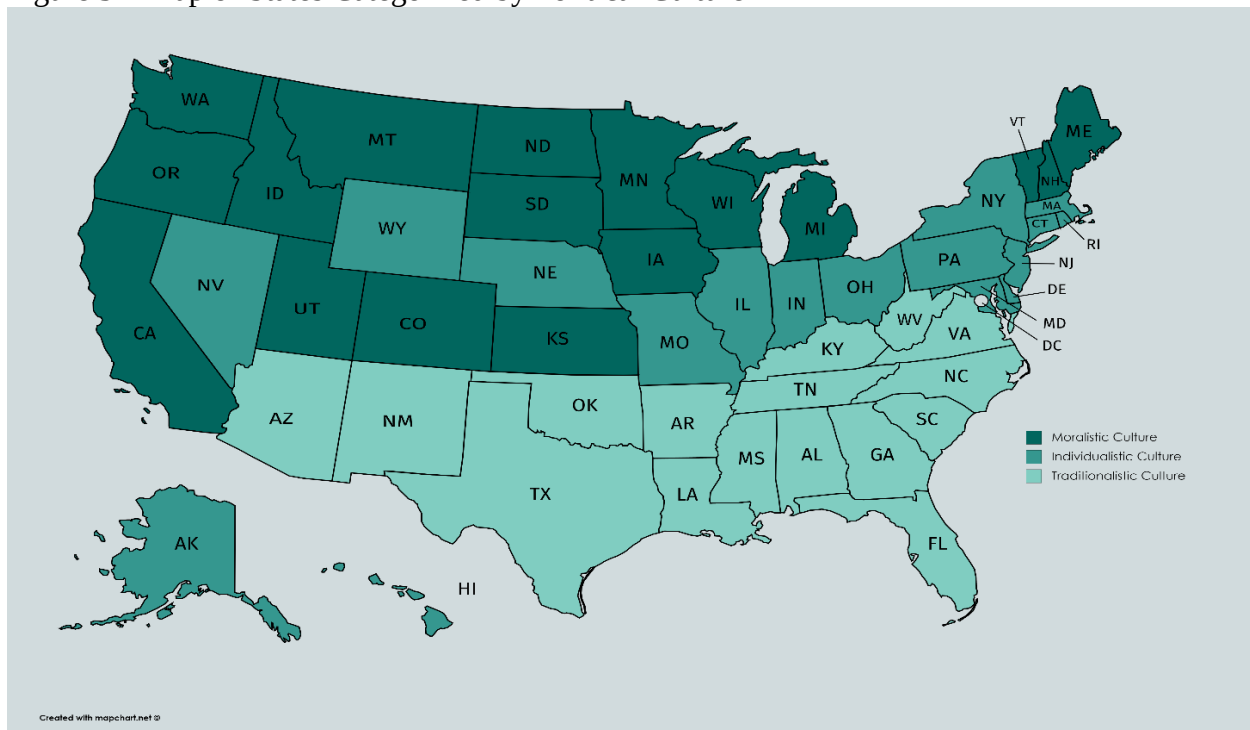
For the second hypothesis, political culture is examined to see if certain states with different cultures have tougher anti-hazing laws. Elazar's state political cultures are used to see if the different cultures he discusses matches the level of hazing laws in the states with similar cultures (see Figure 3 and Appendix Table 3). While Elazar did not create the political culture categories recently, his work has been updated since by several different authors and has been found to still hold true. With this, Elazar's state political culture categories are still useful. Elazar discusses three different cultures states have. States either have an individualistic, moralistic, or traditionalistic culture (Elazar, 1984: 115). States that have a more individualistic culture tend to not create new programs unless there is public demand for the programs (Elazar, 1984: 115-120).

⁶ <http://www.hanknuwer.com/hazing-deaths/>

⁷ <https://www.economist.com/graphic-detail/2017/10/13/hazing-deaths-on-american-college-campuses-remain-far-too-common>

Moralistic culture means that states will create new programs even if there is no public demand as long as the program is believed to be in the public interest (Elazar, 1984: 117-120). A traditionalistic culture means that states will create new programs if the programs serves the interests of a governing elite (Elazar, 1984: 118-120). Anti-hazing laws falls under this section of moralistic culture. By comparing the states that Elazar considers moralistic and non-moralistic against the toughness of hazing laws in the state the role culture plays is tested. Each state was assigned a value of one or zero. States that have a moralistic culture and would be expected to have a tougher anti-hazing law received a one, while traditionalistic and individualistic states received a zero.

Figure 3 – Map of States Categorized by Political Culture



Two controls were used in all the models. These controls were the number of APLU member universities in each state and the population for each state. Most hazing occurs on college campuses. With this it is important to be able to control for the number of universities as

a state with more universities would have more opportunities to have hazing-related incidents. In order to measure the number of universities in each state the number of APLU member universities were taken. APLU member universities are public land grant universities. To determine the number of APLU member universities the 2018 APLU Annual Report was examined (APLU). The 2018 APLU Annual Report has a list of universities in each state that are members. A tally of the number of APLU member universities was taken for each state. Additionally, a bigger population can also mean that there are greater opportunities in a state for hazing-related incidents to occur as bigger population could mean larger organization and groups that partake in hazing. With this it was also important to control for the population in each state. The population of each state was taken from a 2018 report from the Census Bureau (U.S. Census Bureau). The natural log of the population was taken and used while testing the models in order to help the distribution from being skewed and to help make the coefficients and other values more understandable.

B. Models

To look at what may determine a state to have a tougher anti-hazing law three models were estimated. The first model looked at whether a state has an anti-hazing law or not. The dependent variable in this case was having a law or not while the independent variables were culture and deaths and the controls were APLU member universities and population. A logit test was used for this model as the dependent variable was binary.

The next two models looked at what may cause a state to have a tougher anti-hazing law than a weaker anti-hazing law. The first model had the state law toughness based on the toughness of the penalty as the dependent variable. The independent variables were culture, number of deaths and the controls were APLU member universities and population. This model used an ordered

logit because the dependent variable was an ordinal measure ranging from zero to three. With this, three was a tougher law with the penalty of a felony, two was a misdemeanor, one was other sanctions, and zero was no law. This model looked at all the states regardless of if they had a law or not. The third model had the state law toughness based on the number ranking described in the previous section as the dependent variable. The independent variables were culture, and the number of deaths, while the controls were number of APLU member universities and population. This model also used an ordered logit for the dependent variable was an ordinal measure ranging from zero to seven with the higher number being the tougher law as described in the previous section. This model only looked at states that had a law and did not include states that did not have a law.

Results

Overall, the more hazing-related deaths a state has the tougher the anti-hazing law in that state. The first model that was run had no statistically significant results. The model was run to test factors that contributed to a state having an anti-hazing law or not (see Table 1). It was determined that moralistic culture and the number of hazing-related deaths do not contribute to the state having an anti-hazing law or not. Additionally, an interaction was run between moralistic culture and hazing-related deaths, but it was not found to be significant.

Table 1 Having an Anti-Hazing Law or Not Using Logit

	(1) Law or Not
Moralistic Culture	0.634 (1.106)
Deaths	0.816 (0.714)

APLU Member Universities	0.009 (0.529)
Population	1.551 (1.065)
constant	-21.587 (14.625)
R2	0.359
Obs.	50

* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

Note: An interaction between moralistic culture and deaths was run but not found to be statistically significant.

The other tests to determine what may cause a state to have a tougher anti-hazing law showed that the number of hazing-related deaths that the state has does contribute to a tougher law. The first model was run to see if there were aspects that would cause a state to have a tougher anti-hazing law when the toughness of the law was based on the penalty the law had for hazing incidents. It was found that the number of deaths a state had prior to passing an anti-hazing law was statistically significant in determining the toughness of the state anti-hazing law (see Table 2). The more hazing-related deaths a state had before the state passed an anti-hazing law the tougher the state's anti-hazing law. This was as expected and shows support for the first hypothesis. This supports the theoretical idea that if there are hazing-related deaths then constituents notify state legislators and state legislators will then pass tough anti-hazing legislation in order to save lives. Having a moralistic culture was not significant in determining the toughness of the state anti-hazing law. This does not support the second hypothesis and shows that the idea of moralistic states having tougher anti-hazing laws does not happen in actuality. However, when an interaction was run between moralistic culture and hazing-related deaths it was found to be statistically significant. This helps support the hypothesis that moralistic culture states would have a tougher anti-hazing law due to the kind of legislation they normally pass. Moralistic cultures are concerned with passing laws that better the welfare of

citizens. This interaction shows how when there are hazing related deaths a moralistic culture state acknowledges that there are incidents occurring that threaten the welfare of citizens. As a result, in order to protect the welfare of citizens moralistic cultures then pass tougher anti-hazing laws. When there are hazing related deaths, a moralistic culture sees the need for an anti-hazing law to protect the welfare of citizens. This interaction shows how when the moralistic state culture is interacting with the number of hazing related deaths there is a significant relationship that results in tougher anti-hazing laws. The cuts below in the table represent a cut after each value in the dependent variable.

Table 2: Anti-Hazing Law Toughness Based on Penalty Using Order Logit

	(1) State Toughness (Penalty)
Moralistic Culture	-0.324 (0.793)
Deaths	0.260* (0.119)
Interactions between Culture and Deaths	1.316* (0.569)
APLU Member Universities	0.297* (0.150)
Population	0.308 (0.431)
/	
cut1	3.979 (6.161)
cut2	5.329 (6.179)
cut3	8.752 (6.265)
R2	0.243
Obs.	50

* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

The last model also found that the number of hazing-related deaths was significant in determining the toughness of the anti-hazing law. This model was run to see if there were aspects that would cause a state to adopt a tougher law when the toughness was based on the number ranking assigned to the law that was described in an above section. This model also found that the number of deaths a state had prior to passing an anti-hazing law was statistically significant in determining the toughness of the state anti-hazing law (see Table 3). The more hazing-related deaths a state had prior to the passage of their anti-hazing law the tougher the anti-hazing law in the states. This was as expected and shows support for the first hypothesis that having more hazing-related deaths will lead to a tougher anti-hazing law. Having a moralistic culture was found to be statistically significant in the opposite direction as expected. This contradicts the second hypothesis and shows that moralistic states are not more likely to have tougher anti-hazing laws. However, when an interaction is run between moralistic culture and hazing-related deaths it was found to be statistically significant. This helps support the hypothesis that moralistic states would be more likely to pass tougher anti-hazing legislation. When moralistic state cultures interact with the hazing-related deaths in the state this is statistically significant in causing a state to have a tougher anti-hazing law. The cuts in the table below represent a cut after each value in the dependent variable.

Table 3: Anti-Hazing Law Toughness Based on Number Ranking Using Ordered Logit

	(1) State Toughness (Rank)
Moralistic Culture	-1.700* (0.833)
Deaths	0.231* (0.097)
Interactions between	1.045*

Culture and Deaths	(0.410)
APLU Member Universities	0.239*
Population	(0.121) -1.203** (0.465)
/	
cut1	-19.092** (6.850)
cut2	-17.747** (6.773)
cut3	-16.678* (6.683)
cut4	-15.723* (6.620)
cut5	-15.205* (6.606)
cut6	-14.892* (6.609)
cut7	-13.415* (6.634)
R2	0.094
Obs.	44

* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

When looking at if the state had an anti-hazing law or not, culture and the number of hazing-related deaths had no effect. None of the variables tested had any significance in determining if a state would have a law or not. But when looking at determining why a state may have a tougher anti-hazing law than others the number of hazing-related deaths prior to the passage of the law is significant in determining the toughness of the law. This is as expected and is supportive of the first hypothesis. The results show support for the theoretical idea of when states have more hazing-related deaths then citizens will notify state legislators. As a result, state legislators will work to pass tougher anti-hazing legislation in an effort to save lives and to help their reelection prospects through policy congruence with constituents.

The University Perspective

Universities are one of the main places where hazing occurs. One study found that 55% of college students experience hazing (Interactive Hazing Data). Yet, hazing is not always seen as harmful as many still think of hazing incidents as harmless traditions in which different groups and organizations partake in. It was found that in 95% of cases where students felt that they experienced hazing they did not report the incident (Allan and Madden, 2008). My experience at the University of Colorado Boulder has shown this. While walking around campus one can easily spot hazing if you see a male student walking around with a bright pink princess backpack. Fraternities that require their new members to carry around items such as those are partaking in low-level hazing acts as it humiliates or degrades the student. But most people do not pay much attention to these actions and see them as harmless even though they are hazing. This lack of attention paid towards the importance of hazing can also be exemplified by my time as a resident advisor on campus. As a resident advisor, I am trained on a plethora of issues that new college students may experience including drugs, alcohol, suicide ideation, roommate conflicts, and more. Yet, at the University of Colorado Boulder hazing is something that resident advisors are not trained to identify. Resident advisors can have a profound influence on new college students through conversations and helping new students with issues that they go through, but resident advisors are not trained on what hazing is, how to help new students that may experience hazing, or how to help educate others about hazing. The University of Colorado Boulder does have a policy regarding hazing. This hazing policy in actuality is somewhat strong. The policy includes a robust definition of hazing that lists out actions that are prohibited, includes that hazing is something that endangers both mental and physical health, does not allow the cooperation of the hazing victim as a defense, and mentions that there is a state law. This policy and experiences at the University of Colorado Boulder begs the question of what may

cause university policies about hazing to be tougher or weaker and if the state law has any effect on university policies.

Methodology

A. Data Collection

In order to test what may cause a university's anti-hazing policy to be stronger or weaker a sampling of universities across the country and their policies regarding hazing was taken. Information from the university websites regarding current hazing policies was taken in order to do this. One university from each state was chosen to be tested. In order to determine which university in each state was chosen, lobbying information for 2018 was used. Based on information from 2018 the universities were picked based on which public non-technical university in each state spent the most on lobbying. Lobbying was used as it shows a relationship between universities and state legislatures. Colleges and universities have lobbyists at their disposal to pressure politicians to create policies beneficial to the school. As a result, universities and state legislatures have a relationship where one can affect the other. Because of this relationship from lobbying it then makes sense to use the amount spent on lobbying as a tool to pick a university in each state.

Vermont was the only state that did not have a public non-technical university to spend money on lobbying in 2018 and so the University of Vermont was chosen as it is the largest university in Vermont (Biggest Colleges in Vermont)⁸. The University of California was the university in California to spend the most on lobbying, but the university has several different campuses with different policies. In order to determine which campus policy to use for the

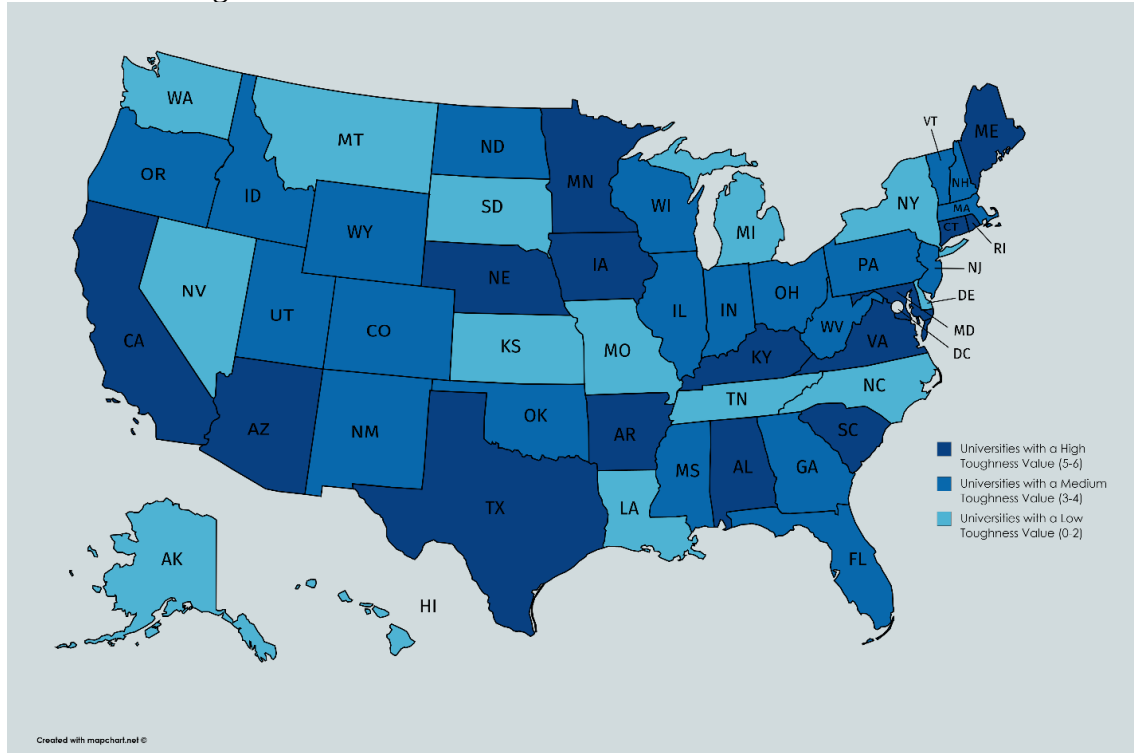
⁸ <https://collegestats.org/colleges/vermont/largest/>

University of California, the largest campus was used which is the Los Angeles campus (Berkman)⁹.

Each University website was then visited to obtain the university's policy regarding hazing. The hazing policies for the universities were then categorized by toughness similar to the state laws. The universities were assigned a numerical value that relates to the policy's toughness. The higher the number the tougher the policy. All of the fifty university policies were read and with this, certain aspects that would make the law tougher or weaker became apparent. Aspects that added to a university's score was that the policy mentioned there was a state law, the policy mentions both mental and physical health, the policy says that the cooperation of the victim is not a defense, the policy mentions sanctions or penalties, the policy mentions it enforces both on and off campus activities, the hazing definition is robust or lists out things included in hazing, and the policy mentions that information should be reported. Aspects that would take away from a university's score is if the policy lists things that hazing does not include. The scores ranged from zero to six, with the higher number indicating a tougher policy in regards to hazing (see Figure 4 and Appendix Table 4). The map below has the universities grouped based on the number ranking. They are grouped into categories of high toughness value (a number ranking of five to six), medium toughness value (a number ranking of three to four), and low toughness value (a number ranking of zero to two). The groupings do not serve any purpose besides making the map easier to read as it allows for three different colors instead of six.

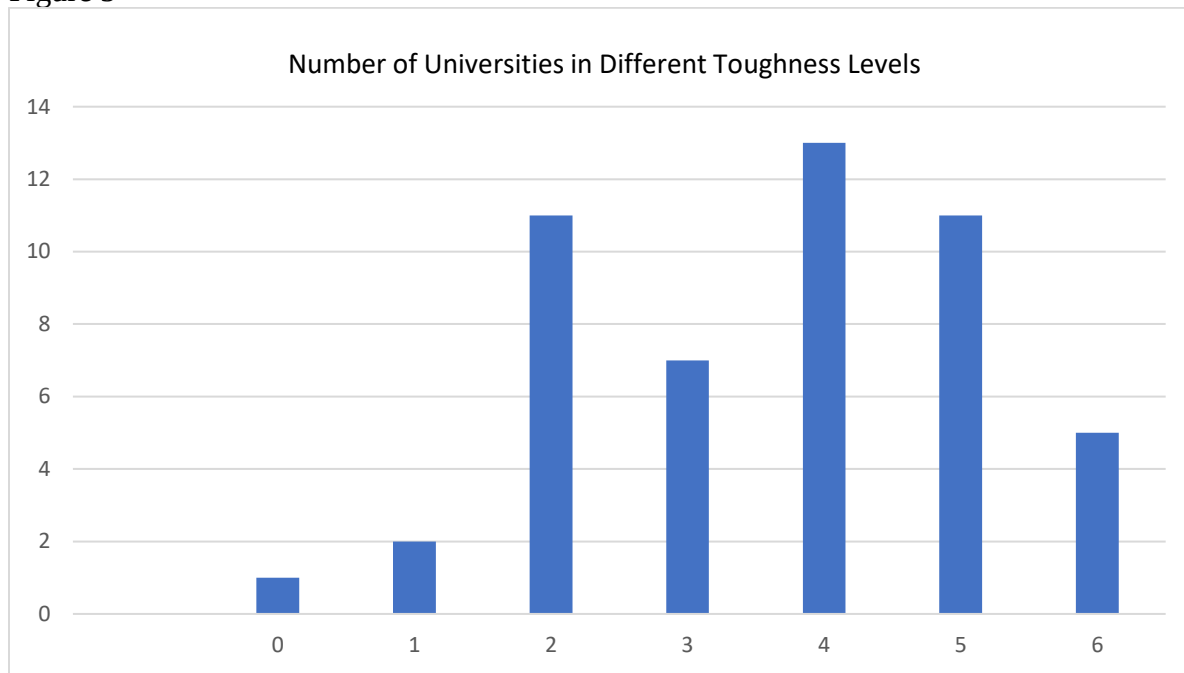
⁹ <https://blog.prepscholar.com/list-of-uc-schools-ranking>

Figure 4 - Map of States Categorized by University Anti-hazing Policy Toughness Based on a Number Ranking



The university policies were also categorized into a binary variable of weak or strong. This was determined by the number ranking the university policies were assigned. Those university policies with a number ranking between zero and three were determined to have a weak anti-hazing policy. Those university policies with a number ranking between four and six were determined to have a strong anti-hazing policy. This break was determined from the figure below (Figure 5). This figure shows the number of universities that fall into each number ranking group. This shows a clear break between the number three and four rankings where university policies are grouped between zero and three and four and six. With this, it was possible to break the university policies into two groups of strong and weak policies where those with a ranking between zero and three were weak and those between four and six were strong.

Figure 5



Each university policy was further examined to see when the policy that was recorded took effect. Each university website that had the anti-hazing policy was analyzed further to find a date for the anti-hazing policy. This was to make sure that the university policy came after the state law so that the temporal aspect of the state law affecting the university policy was intact. Only the university policies that came after the state law were tested. This resulted in 42 universities and states being tested.

The independent variables of culture, state law toughness based on penalty, state law toughness based on the number ranking, having an anti-hazing law or not, and the number of hazing-related deaths prior to the law being passed were collected in the same way described in the previous data collection section. The control variables of the number of APLU member universities in each state and state population were also collected in the same way described in the previous data collection section.

B. Models

To look at what might cause some university policies to be tougher than others two different groups of tests were estimated. The first group of tests have university toughness as a number ranking from zero to six as the dependent variable. The independent variables were moralistic culture, state toughness based on penalty, state toughness based on the number ranking, having an anti-hazing law or not, and the number of hazing-related deaths in the state prior to the law being passed. The controls were the number of APLU member universities in the state and the state population. One test was run with all the independent variables and controls. One test was run with moralistic culture, state toughness based on penalty, and deaths as the independent variables and all the control variables. Another test was run with moralistic culture, state toughness based on the number ranking, and deaths as the independent variables and both the controls. The last test was run with culture, having an anti-hazing law or not, and deaths as the independent variables and both controls. All of the tests were run as an ordered logit because the dependent variable was an ordinal measure ranging from zero to six.

The second group of tests that were run had the dependent variable of the university policy being strong or weak. In much the same way as the other model, four tests were run with this dependent variable. The independent variables were moralistic culture, state toughness based on the penalty, state toughness based on the number ranking, having an anti-hazing law or not, and the number of hazing-related deaths in the state prior to the law being passed. The control variables were the number of APLU member universities in the state and the population of the state. One test had all the independent variables and controls. One test was run with culture, state toughness based on penalty, and the number of deaths and both control variables. Another test was run with culture, state toughness based on the number ranking and deaths and both control

variables. The last test was run with culture, having an anti-hazing law or not, and deaths and both control variables. These tests used logit as the dependent variable was binary.

Results

The tests laid out above resulted in several explanations for what may cause a university's anti-hazing policy to be tougher or weaker. When looking at what may cause a university policy to be tougher when the university policy is given a number ranking the results show that if the state has an anti-hazing law then the university's anti-hazing policy is more likely to be tough (see Table 4). The relationship between having a law or not and having a tougher university anti-hazing policy was statistically significant. This relationship held true when having a law or not variable was tested with and without the state toughness variables. This shows a relationship between state anti-hazing laws and university anti-hazing policies. Universities would logically want to follow and help support state laws. This result shows that this relationship holds for anti-hazing laws as universities in a state that has an anti-hazing law have tougher policies in regards to hazing.

Additionally, another relationship was statistically significant when tested. In all four tests, contrary to what was hypothesized, there was a statistically significant negative relationship between the number of hazing-related deaths and the toughness of the university policy. So as the number of hazing-related deaths in the state decreased the university policy became tougher and as the number of deaths increased the university policy becomes weaker. This is the opposite of what was found for state laws. For state laws, the more hazing-related deaths the tougher the law, the opposite is true for university policies. The relationship between hazing deaths and university policy toughness seems counterintuitive after the results from the

state law analysis but there may be an explanation for this relationship. It may be that what happened before the anti-hazing law was passed in the state was not important to the university when making their anti-hazing policy. Instead what was important to the university was if there were a law or not. Overall, the explanation for the significant negative relationship between the number of hazing related deaths and university anti-hazing policy toughness is unclear and the relationship will be speculated on further at the end of this paper.

Variables that were not statistically significant were moralistic culture and the different forms of measuring state law toughness. The fact that political culture is not statistically significant is perhaps not surprising based on the fact that it was also not statistically significant when analyzing the state laws. Furthermore, an interaction was run between moralistic culture and hazing-related deaths, but it was not found to be statistically significant. The cuts in the table below represent a cut after every value in the dependent variable.

Table 4: Severity of University Anti-Hazing Policy Using Ordered Logit

	(1) University Toughness	(2) University Toughness	(3) University Toughness	(4) University Toughness
Moralistic Culture	-0.927 (0.661)	-0.696 (0.632)	-0.532 (0.621)	-1.044 (0.643)
State Toughness (Penalty)	-1.008 (0.705)	0.497 (0.381)		
State Toughness (Rank)	0.162 (0.211)		0.195 (0.139)	
Law or Not	4.812** (1.482)			3.521** (1.082)
Deaths	-0.416** (0.147)	-0.356** (0.134)	-0.361** (0.136)	-0.427** (0.139)
APLU Member	0.193	0.064	0.075	0.136

Universities				
	(0.125)	(0.114)	(0.113)	(0.115)
Population	-0.253	0.078	0.202	-0.316
	(0.427)	(0.400)	(0.385)	(0.416)
/				
cut1	-6.353	-2.881	-1.376	-7.256
	(5.940)	(5.703)	(5.549)	(5.832)
cut2	-5.158	-1.651	-0.148	-6.032
	(5.867)	(5.615)	(5.467)	(5.751)
cut3	-3.079	0.203	1.683	-3.894
	(5.802)	(5.567)	(5.438)	(5.683)
cut4	-2.277	0.806	2.282	-3.111
	(5.791)	(5.570)	(5.448)	(5.672)
cut5	-0.483	2.174	3.665	-1.442
	(5.809)	(5.603)	(5.490)	(5.678)
cut6	1.670	4.102	5.613	0.623
	(5.840)	(5.636)	(5.528)	(5.696)
R2	0.138	0.054	0.056	0.122
Obs.	42	42	42	42

* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

Note: The dependent variable was measured as a number ranking with the higher value being a tougher policy. Additionally, an interaction between moralistic culture and deaths was run but not found to be statistically significant.

When looking at what may cause a university policy to be tougher or weaker when the dependent variable is a binary value of tough or weak some different results occur. Having an anti-hazing law or not is no longer significant in determining the toughness of the university policy. Instead in certain conditions, the toughness of the state law is what determines if the university policy is strong or weak (see Table 5). State toughness based on penalty is statistically significant in determining if the university policy is strong or weak when state toughness based on the ordinal ranking and having a law or not are not in the model. This means if the law is tougher or has stricter penalties then the university policy is more likely to be tough. This shows the relationship between state laws and university policies and how universities may acknowledge state laws and try to make sure that their policies complement and build on state laws. Similarly, state toughness based on the number ranking is statistically significant in determining if the university policy is strong or weak when state toughness based on penalty and

having a law or not is excluded from the model. So, if the state law is tougher then the university policy is more likely to be strong and if the state law is weak then the university policy is also more likely to be weak. This again shows a relationship between state laws and university policies and how universities may try to make sure their policies build on state laws.

There is also a negative relationship between deaths and the university policy being strong or weak in some cases. This means that if the state had more deaths prior to the state passing an anti-hazing law then the university policy is more likely to be weak. Again, this is the opposite of what was found when analyzing state law toughness. It may be because when universities make their policy they are less concerned with what happened before the state law was passed and more concerned with the law itself. If universities are not concerned about what happened before the law was passed, then having more hazing-related deaths would not necessarily lead to a tougher policy as it did in the case of state anti-hazing laws. Instead, the universities may care more about the toughness of the state law which is supported by the results discussed above. This relationship will be speculated on further on at the end of this paper.

Variables that were not significant were moralistic culture, having an anti-hazing law or not and in some cases the different measures of state law toughness. It is not surprising that state political culture was not significant as it was not significant when analyzing the state anti-hazing laws. Furthermore, an interaction was run between moralistic culture and hazing-related deaths, but it was not found to be statistically significant.

Table 5: University Anti-Hazing Policy Being Strong or Weak Using Logit

(1)	(2)	(3)	(4)
University Policy Strong or Weak	University Policy Strong or Weak	University Policy Strong or Weak	University Policy Strong or Weak

Moralistic Culture	-0.875 (1.021)	-0.691 (0.812)	-0.416 (0.765)	-1.094 (0.964)
State Toughness (Penalty)	-0.730 (0.892)	0.924 [#] (0.515)		
State Toughness (Rank)	0.234 (0.275)		0.349 [#] (0.195)	
Law or Not	0.000 (.)			0.000 (.)
Deaths	-0.379 (0.207)	-0.375* (0.185)	-0.377* (0.189)	-0.376* (0.185)
APLU Member Universities	0.112 (0.172)	-0.035 (0.164)	-0.013 (0.160)	0.085 (0.163)
Population	-0.465 (0.638)	0.067 (0.513)	0.303 (0.500)	-0.563 (0.610)
constant	9.743 (9.324)	-0.976 (7.214)	-3.772 (7.104)	10.507 (9.011)
R2	0.185	0.118	0.118	0.166
Obs.	37	42	42	37

* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$, [#] $p < 0.1$

Note: The dependent variable was measured as a dichotomous variable of whether or not the university hazing policy was strong or weak. Additionally, an interaction between moralistic culture and deaths was run but was not statistically significant.

When looking at what may cause a university's anti-hazing policy to be tougher on a number scale, it was found that states with an anti-hazing law also have tougher university policies. When seeing what may cause a university's policy to be weak or strong in some cases the toughness of the anti-hazing law matters. Pulling together the results from both the state anti-hazing law analysis and the university anti-hazing policy analysis a series of events starts to form. The number of hazing-related deaths is important in determining the toughness of the state anti-hazing law. Having a state anti-hazing law and the toughness of the anti-hazing law then are significant in determining the toughness of the university anti-hazing policy.

Discussion

It has been determined that the more hazing-related deaths a state has before the passage of an anti-hazing law the tougher the law will be in that state. Subsequently, having an anti-hazing law and in some cases having a tougher anti-hazing law then leads a university to have a tougher anti-hazing policy. This logically makes sense that as more people die lawmakers will be rational actors and want to pass a law to stop more deaths from happening when hazing-related deaths are brought to their attention and that universities will then want their policies to complement state laws. But is there a focus on hazing-related deaths when a legislature is trying to pass a tough anti-hazing law? What would be talked about in a state that had few or no hazing-related deaths and a weak anti-hazing law? How do university policies relate?

Two states were examined more closely to see how hazing-related deaths played into the dialogue when trying to pass an anti-hazing law. Pennsylvania had eighteen hazing-related deaths prior to the passage of its current anti-hazing law. Pennsylvania's law is also considered to be a tough anti-hazing law. Under the Pennsylvania law hazing can be a felony and the law received a number ranking of seven, a high toughness value, based on the criteria described earlier. Seven is the highest and toughest score for the anti-hazing laws. Because Pennsylvania had a substantial amount of hazing-related deaths and a tough law Pennsylvania is a state that supports the idea that the more hazing-related deaths the tougher the anti-hazing law. The other state analyzed was Arizona. Arizona had no hazing-related deaths prior to the passage of its anti-hazing law. Additionally, Arizona has a weaker law as the highest penalty under the law is some form of other sanctions that are not a felony or misdemeanor and the law received an ordinal ranking of one, a low toughness value, based on the criteria previously discussed. The ranking of one is the second lowest ranking possible as some states had a ranking of zero. Arizona follows

the idea that the fewer amount of hazing-related deaths the weaker the anti-hazing law. Both states had no hazing-related deaths after the passage of the anti-hazing law.

A. Pennsylvania

Pennsylvania's law largely came about because of a hazing-related death. The story of Tim Piazza at the beginning of this paper was a major factor in creating the Pennsylvania anti-hazing law. Piazza was a sophomore at Penn State who while at a fraternity house drank large amounts of alcohol and fell down the stairs (Associated Press)¹⁰. Piazza later died from his injuries and from hazing that occurred (Associated Press)¹⁰. After their son's death, Jim and Evelyn Piazza became national advocates to stop hazing on college campuses (Associated Press)¹⁰. Jim Piazza said that young people "deserve better" and that they must be protected "from this rampant criminal behavior" (Associated Press)¹⁰. There had been at least two other hazing-related deaths in Pennsylvania in the past five years (DeKok)¹¹.

The death of Tim Piazza then prompted new legislation in Pennsylvania. Senator Corman, who sponsored the anti-hazing legislation in Pennsylvania, said in a memo that he planned on introducing legislation "to put an end to the growing number of hazing injuries and deaths in Pennsylvania" (Legislative)¹². By this, it is clear that Senator Corman's intent when creating the anti-hazing legislation was to prevent future deaths. Furthermore, while talking on the Senate floor in April of 2018 Senator Corman talked about the death of Tim Piazza and Piazza's parent's work to prevent future incidents as incentives to pass new anti-hazing

¹⁰ <https://www.nbcnews.com/news/us-news/new-anti-hazing-law-signed-pennsylvania-after-death-penn-state-n922231>

¹¹ <https://www.reuters.com/article/us-pennsylvania-hazing/pennsylvania-law-to-make-hazing-punishable-as-felony-idUSKCN1MT1BL>

¹² <https://www.legis.state.pa.us/cfdocs/Legis/CSM/showMemoPublic.cfm?chamber=S&SPick=20170&cosponId=25456>

legislation (Session of 2018). Senator Corman argued that the anti-hazing law that Pennsylvania had before Tim Piazza's death was too minimal as it only allowed a misdemeanor no matter how serious or minor the hazing incident was (Session of 2018). Furthermore, Senator Corman explained how the law he proposed would allow prosecutors to give certain penalties depending on the severity of the hazing incident (Session of 2018). The law ended up passing both the Pennsylvania Senate and House unanimously and was signed into law by the governor in October of 2018 (Legislative)¹³. Governor Tim Wolf of Pennsylvania described the law as being "long overdue" (Associated Press)¹⁰. Additionally, Governor Wolf explained that we must "ensure schools have safeguards to protect students and curb hazing" (Coulumbis)¹⁴. The language that both Senator Corman and Governor Wolf use show that the Pennsylvania anti-hazing law was created in order to protect students from future hazing incidents and to prevent future deaths or injuries.

The response to the Pennsylvania anti-hazing law was largely congratulatory in creating a law that would benefit students and save lives. Eric Barron, President of Penn State said that the law would make a difference and that the fact that hazing is a felony in certain incidents was "powerful from the police side of things" (Associated Press)¹⁰. Meanwhile, the Piazzas expressed that they hoped the law would become a "deterrent to prevent other families from having to endure the loss and pain" of losing a loved one (Associated Press)¹⁰. Additionally, Tracy Maxwell, founder of Hazing Prevention, said that the new Pennsylvania law could make it tougher than the Florida anti-hazing law and Florida's law was considered one of the toughest laws in the country (DeKok)¹¹. Rich Braham, a father of another student that died due to hazing,

¹³ https://www.legis.state.pa.us/cfdocs/billinfo/bill_history.cfm?year=2017&sind=0&body=S&type=B&bn=1090

¹⁴ <https://www.post-gazette.com/news/crime-courts/2018/10/15/anti-hazing-legislation-Timothy-Piazza-penn-state-university-beta-theta-pi-fraternity/stories/201810150188>

said that the new Pennsylvania law was much better and that it would “save student lives” (DeKok)¹¹. Those reacting to Pennsylvania’s anti-hazing law saw it as a tough law that could prevent future hazing-related deaths and save lives.

Upon taking a closer look at the passage of Pennsylvania’s anti-hazing law it is clear that it was passed in reaction to hazing-related deaths and was received as a tough law that would prevent future deaths. The original motivating force behind the passage of the law was the hazing-related death of Tim Piazza. Furthermore, the language used by the politicians that passed the law made it clear that something needed to change to prevent future deaths and that the state’s anti-hazing law needed to be tougher. Pennsylvania then ended up passing a law that many viewed as a tough anti-hazing law that would help prevent deaths and injury. This dialogue supports what was found that the more hazing-related deaths a state had the tougher the state’s anti-hazing law would be. Pennsylvania had a large amount of hazing-related deaths and the state legislators saw this. The legislators then worked to create a tough law that would help save lives.

The university that was analyzed for Pennsylvania was the University of Pittsburgh. The University of Pittsburgh was one of the few universities where the university anti-hazing policy predated the state’s anti-hazing law. In Pennsylvania this was only by a matter of months with the university policy happening in August of 2018 and the law being passed in October of 2018. The university policy did occur though after the hazing related deaths that helped spur the passage of the anti-hazing law. While the University of Pittsburgh policy predates the state law it does follow the pattern of the university policy being tougher because there is a state anti-hazing law and the law was tough. The University of Pittsburgh received an ordinal ranking of six, the highest value that a university policy could receive. It received this score as the policy mentions there being a state law in regards to hazing, includes mental and physical health in its definition

of hazing, has a robust hazing definition or lists prohibited actions, mentions penalties, does not allow the cooperation of the victim as a defense, and requires people to report hazing incidents. The University of Pittsburgh anti-hazing policy shows how a state that has a tough anti-hazing law can also have tough university policies in regards to hazing.

B. Arizona

Arizona had no hazing-related deaths and a weak anti-hazing law. The push for an Arizona anti-hazing law was largely characterized by the need to educate and to support weak school policies. The law in Arizona was sponsored by Representative Steve May. Representative May explained that the Arizona law could prevent an incident that had happened at a high school where the hazing incident escalated to assault and that the student's "lives were ruined because even though the school had a hazing policy, it was very vague and weak" (Sherwood). Representative May continued to explain that the law was an attempt to "educate coaches and administrators" in order to stop hazing before it gets to a high level (Sherwood). Furthermore, Representative May argued that while schools had anti-hazing policies these anti-hazing policies were not comprehensive enough (Sherwood). The arguments for an anti-hazing law in Arizona did not stem from hazing-related deaths and did not focus on saving lives. Instead, the focus was on making sure that people were educated about hazing and that weak and vague school hazing policies were supported by the law.

When the bill was put in front of the Arizona legislature there were mixed responses. The intent of the bill was that educational institutions should provide a safe learning environment for students and so hazing was not permissible (Forty-Fifth Legislature). But there were legislators that did not see the need for a law. Representative Eddie Farnsworth felt that a law was not needed as a majority of school districts already had "policies against hazing" (Sherwood). This

disregard for the need of an anti-hazing law is further exemplified by a political cartoon in the Arizona Republic newspaper (see Figure 6). The political cartoon diminishes the effects of hazing when it shows someone not taking the threat of hazing or the need for legislation seriously (Farrington). While the law did pass the Arizona legislature and was signed into law it was not unanimous. On the final passage in the Arizona House, 33 representatives voted for the law while 21 voted against the law (House Final Readings). The opposition to the anti-hazing law in Arizona exemplifies how the need to prevent deaths and injury from future hazing legislation was not present in the decision-making process for the Arizona anti-hazing law.

Figure 6



When Arizona was passing its anti-hazing legislation there was no focus on hazing-related deaths and saving lives. Instead, the focus was on education and supporting educational institutions. There was also opposition to the anti-hazing law as was present from legislator's remarks and those who voted in opposition to the law. Arizona's anti-hazing law ended up being a weak law to combat hazing. The dialogue though supports the idea that the fewer hazing-related deaths the weaker the law. Arizona had no hazing-related deaths and so legislators did not have to worry about passing a strong law that would prevent future deaths unlike in Pennsylvania.

The university analyzed for Arizona was Arizona State University. Arizona State University's anti-hazing policy is fairly tough receiving an ordinal ranking of five which is the second highest ranking a university policy could receive. This supports what was found that having an anti-hazing law results in tougher university policies regarding hazing. While Arizona's anti-hazing law is not tough the fact that it has a law may contribute to Arizona State University having a tougher anti-hazing policy. The aspects of the anti-hazing policy that contributed to it being tougher was having a robust definition, including mental and physical health in the definition of hazing, mentioning the state law, not allowing the cooperation of the victim as a defense, mentioning penalties, and requiring the reporting of hazing incidents. One aspect that detracted from the toughness of the university policy was that it included a list of things that were not included in hazing. The fact that Arizona has an anti-hazing law and that Arizona State University has a tough anti-hazing policy supports what was found to be true in the data analysis.

Conclusion

Hazing can be defined as any activity that is expected of someone joining a group that humiliates or endangers that person regardless of their willingness to participate (Allan and Madden, 2008). With this many students and people experience hazing when they join sports teams, clubs, and other organizations. As a result, 44 states have anti-hazing laws. But there are six states that do not have a law and the laws vary greatly between the states. This paper sought out to determine what may cause a state to adopt an anti-hazing law or to have a tougher anti-hazing law than other states. By categorizing states into different levels of toughness based on the penalty the law had for hazing incidents and based on a number ranking it was tested to see what variables may cause a state to have a tougher anti-hazing law. It was determined that the number of hazing-related deaths prior to the passage of the anti-hazing law affected the toughness of the state law. So, the greater the number of hazing-related deaths the tougher the anti-hazing law. In addition, it was found that an interaction between moralistic culture and hazing-related deaths was significant in determining if a state would have a tougher anti-hazing law. This shows how when in conjunction with the number of hazing-related deaths the moralistic culture of a state can help determine the state law toughness as moralistic cultures pass legislation that tends to protect the welfare of citizens.

The majority of hazing happens on college campuses and so university anti-hazing policies were also analyzed. One university from each state was analyzed and their anti-hazing policy was given a number ranking similar to how the state laws were assigned a number ranking and were categorized into two groups of weak or strong. Different variables were then tested to see what may cause a university to have a tougher or strong anti-hazing policy. It was found that having an anti-hazing law lead to a university having a tougher anti-hazing policy and that increased state toughness affected if a university could be categorized as strong in certain cases.

A. Broader Implications

Prior to this paper, literature on hazing legislation was very sparse. Any literature about hazing mostly focused on how often hazing occurs, what types of hazing do students experience, or why might hazing occur. This paper will be able to inform on the process of creating anti-hazing legislation. Those that research hazing should be able to use this research to better understand the process of creating hazing legislation and what may cause a state to adopt a tougher anti-hazing law. Furthermore, organizations such as HazingPrevention.org and StopHazing that work to combat hazing and pass more hazing legislation would be able to use this research to better inform their efforts to pass anti-hazing legislation. Those that wish to pass new or tougher anti-hazing legislation in states could use the research to understand that focusing on hazing-related deaths may allow for the passage of a tougher anti-hazing law. Furthermore, this same rationale could be used if someone was trying to pass national anti-hazing legislation.

B. Areas for Future Research

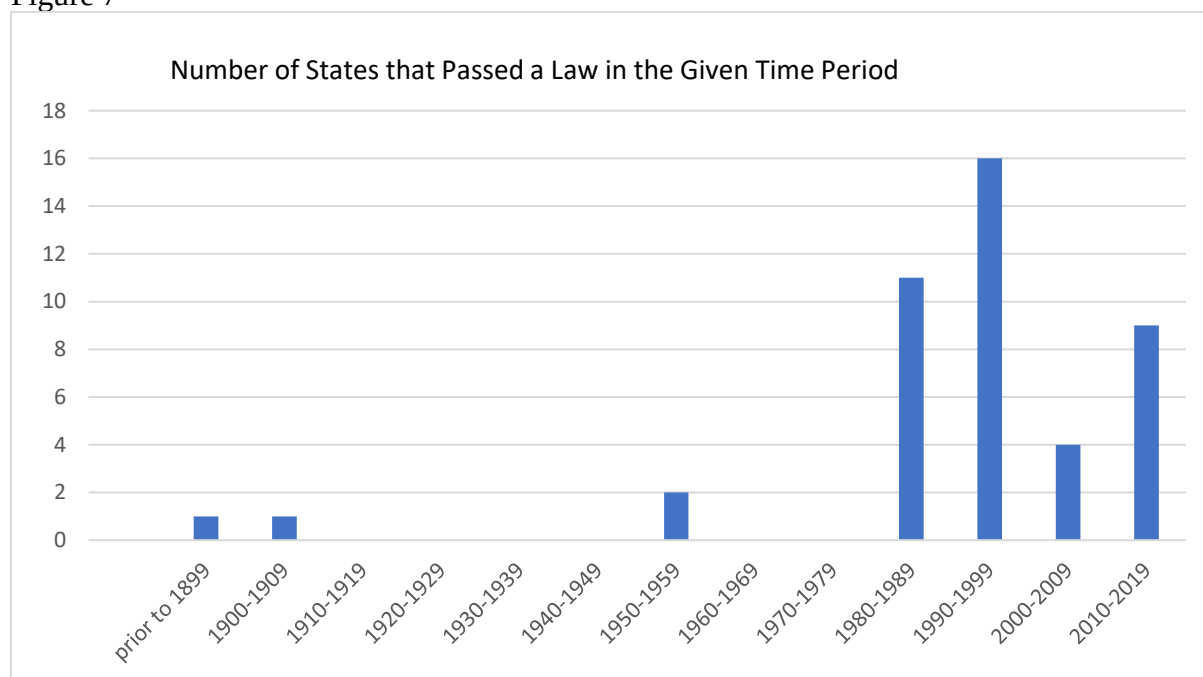
There are several different areas for future research. There is still more research that could be done to better understand why a state adopts an anti-hazing law. With more time and resources future research could focus on the diffusion of anti-hazing legislation across states. There is a robust literature about policy diffusion. But there is not any research that specifically looks at the diffusion of anti-hazing policies. Future research could include looking at the diffusion of anti-hazing laws to see if the laws diffuse based on geography, emulation, legislature professionalism, or discretionary authority of state bureaucrats. This future research could further inform what could cause a state to adopt an anti-hazing law. Furthermore, looking at diffusion could help explain the negative relationship between deaths and university policy that was found the be

statistically significant. Diffusion could account for the negative relationships. It may be that there are mechanisms that operate through the community of university administrators such that there is adoption of anti-hazing policies proactively rather than reactively after the hazing-related deaths have occurred.

Additionally, future research could look more closely at the significance of the variation in the type of university to see how this may impact the toughness of university anti-hazing policies. It may be that state political culture or number of hazing related deaths has a different impact when looking more closely at the different types of institutions such as public or private institutions, large or small institutions, or commuter or residential institutions. It may be interesting to see how large schools that may have more of a possibility for hazing to occur may differ from small schools in their anti-hazing policy. Future research could better understand the relationship between variables such as culture or hazing related deaths and university anti-hazing policies by looking across different types of institutions of higher education.

Furthermore, when looking at a timeline of state adoption of anti-hazing laws there is a significant uptick in anti-hazing laws passed in the 1980s (see Figure 7). Future research could look at what would cause the uptick in anti-hazing legislation during that time. It would be interesting to look and see if certain factors such as cultural changes, the increase in the drinking age, or an increase in hazing-related deaths could be the cause for the increase in hazing legislation in the 1980s.

Figure 7



Lastly, future research could also focus on whether or not the anti-hazing laws were effective. Looking at the success of anti-hazing laws and if the tougher laws are actually successful in decreasing hazing incidents and deaths could help inform those creating new anti-hazing legislation. It would be important to understand how effective the anti-hazing laws are for if the tough laws are no more effective than the weak laws or if the weak laws are more effective, then having a tough anti-hazing law may not be as necessary as one would expect. At this point in time the data to test this is difficult to find. There is no national law that requires hazing to be reported and the data collected and only some state laws require this. Although, there is the possibility for this data to be available in the future making this research more possible. Currently there is a bill in the U.S. Congress called the Report and Educate About Campus Hazing or REACH Act that would require hazing incidents to be reported. If this bill were to pass and become law, then data would exist about hazing incidents. This would make future research about the effectiveness of anti-hazing laws more obtainable.

Overall, deaths do matter. This research found that the more hazing-related deaths a state has the tougher the state's anti-hazing law. Then having an anti-hazing law or a tougher anti-hazing law was significant in determining if the university anti-hazing policy would be tougher. This shows a series of events of how hazing-related deaths can not only lead to changes in the state anti-hazing law but indirectly through laws can also lead to changes in university anti-hazing policies.

Appendix

Table 1

<u>Category</u>	<u>States</u>
Felony	California, Utah, Texas, Missouri, Wisconsin, Illinois, Florida, West Virginia, Indiana, Michigan, Pennsylvania, and New Jersey
Misdemeanor	Washington, Idaho, Nevada, Colorado, North Dakota, Nebraska, Kansas, Oklahoma, Iowa, Arkansas, Louisiana, Mississippi, Alabama, Georgia, North Carolina, Virginia, Ohio, New York, Rhode Island, New Hampshire, Massachusetts, Maryland, Vermont, and Delaware
Other Sanctions	Oregon, Arizona, Minnesota, Kentucky, Tennessee, South Carolina, Maine, and Connecticut
No Law	Montana, Wyoming, New Mexico, Alaska, Hawaii, and South Dakota

Table 2

<u>Category</u>	<u>States</u>
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States with a high toughness value (5-7)	Utah, Oklahoma, Texas, Missouri, Florida, West Virginia, Pennsylvania, Massachusetts, and Delaware
States with a medium toughness value (3-4)	North Dakota, Nebraska, Iowa, Arkansas, Louisiana, Wisconsin, Alabama, Indiana, Michigan, Rhode Island, New Hampshire, and Vermont
States with a low toughness value (0-2)	Washington, Oregon, California, Idaho, Nevada, Arizona, Colorado, Kansas, Minnesota, Illinois, Kentucky, Tennessee, Mississippi, Georgia, South Carolina, North Carolina, Virginia, Ohio, New York, Maine, Connecticut, Maryland, and New Jersey
No law	Montana, Wyoming, New Mexico, Alaska, Hawaii, and South Dakota

Table 3

<u>Culture</u>	<u>States</u>
Moralistic	California, Washington, Oregon, Idaho, Utah, Montana, Colorado, Kansas, North Dakota, South Dakota, Minnesota, Iowa, Wisconsin, Michigan, Vermont, New Hampshire, Maine

Individualistic	Alaska, Hawaii, Nevada, Wyoming, Nebraska, Missouri, Illinois, Indiana, Ohio, Pennsylvania, New York, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, Maryland
Traditionalistic	Arizona, New Mexico, Texas, Oklahoma, Arkansas, Louisiana, Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, Virginia, West Virginia, Kentucky, Tennessee

Table 4

<u>Category</u>	<u>Universities</u>
Universities with a high toughness value (5-6)	Alabama – Auburn University, Arizona – Arizona State University, Arkansas – Arkansas State University, California – University of California LA, Connecticut – University of Connecticut, Iowa – University of Iowa, Kentucky – University of Kentucky, Maine – University of Maine, Maryland – University of Maryland, Minnesota – University of Minnesota, Nebraska – University of Nebraska, Pennsylvania –

	University of Pittsburgh, Rhode Island – University of Rhode Island, South Carolina – Clemson University, Texas – Texas A&M University, Virginia – University of Virginia
Universities with a medium toughness value (3-4)	Colorado – University of Colorado, Florida – University of Florida, Georgia – Augusta University, Idaho – University of Idaho, Illinois – University of Illinois, Indiana – Purdue University, Massachusetts – University of Massachusetts, Mississippi – University of Southern Mississippi, New Hampshire – University of New Hampshire, New Jersey – Rutgers University, New Mexico – University of New Mexico, North Dakota – University of North Dakota, Ohio – Ohio State University, Oklahoma – University of Oklahoma, Oregon – University of Oregon, Utah – Utah State University, Vermont – University of Vermont, West Virginia – West Virginia University, Wisconsin – University of Wisconsin, Wyoming – University of Wyoming

Universities with a low toughness value of (0-2)	Alaska – University of Alaska, Delaware – University of Delaware, Hawaii – University of Hawaii, Kansas – Kansas State University, Louisiana – Louisiana State University, Michigan – Michigan State University, Missouri – Missouri State University, Montana – Montana State University, Nevada – College of Southern Nevada, New York – City University of New York, North Carolina – University of North Carolina, South Dakota – South Dakota State University, Tennessee – University of Tennessee, Washington – University of Washington
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Figure 1

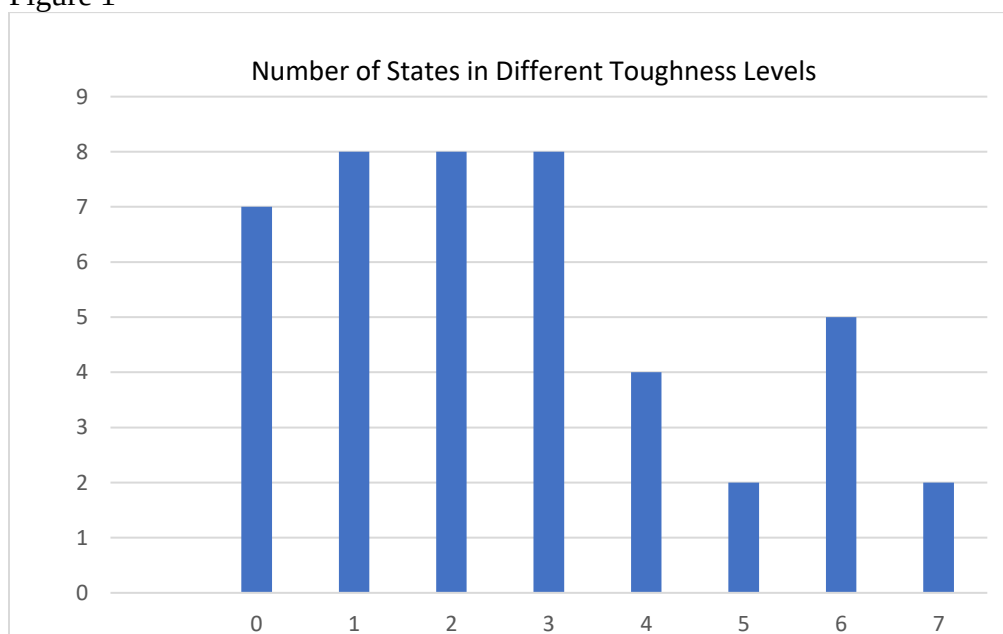


Figure 2

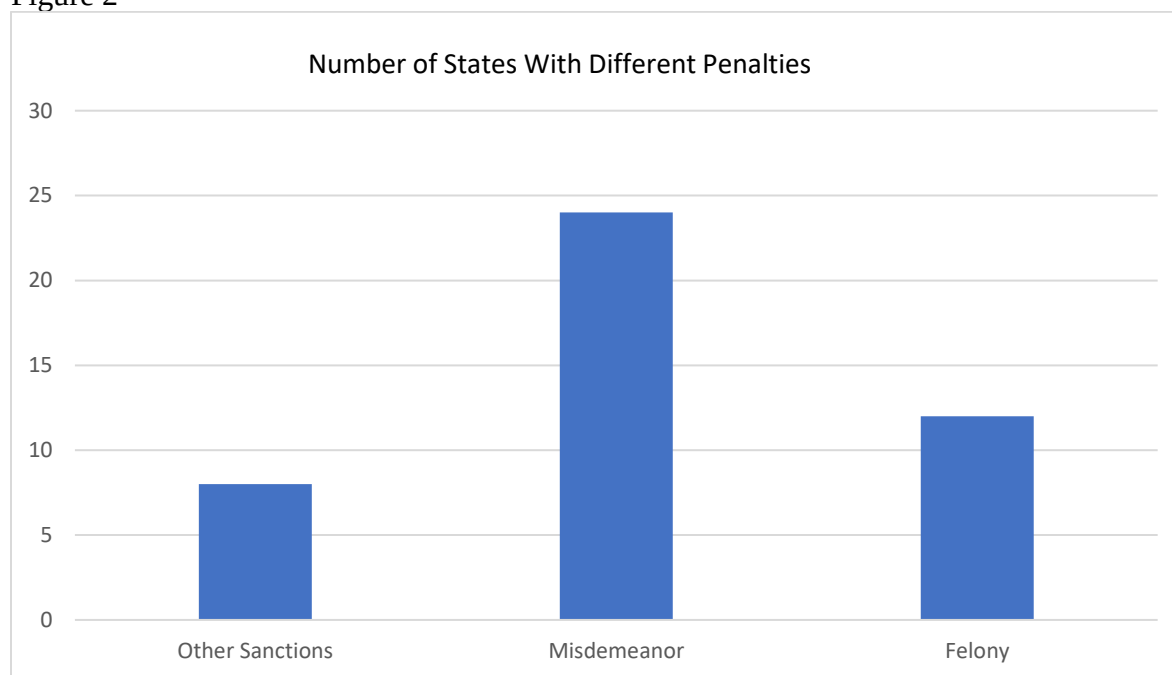


Figure 3

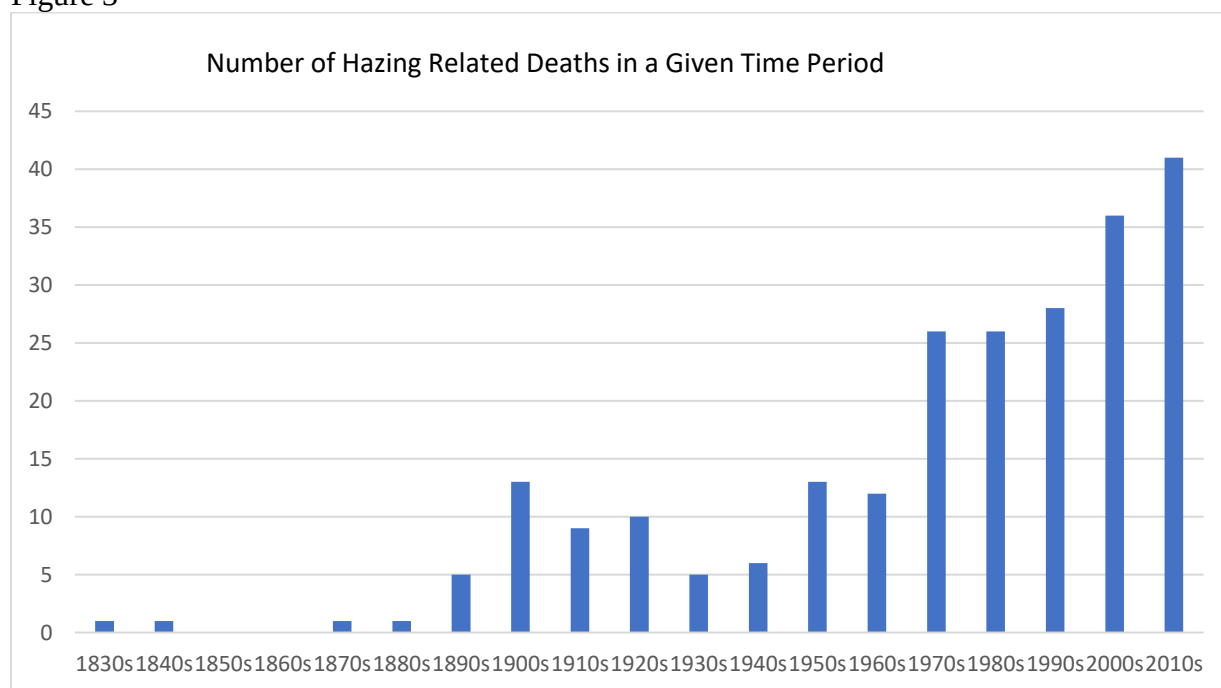
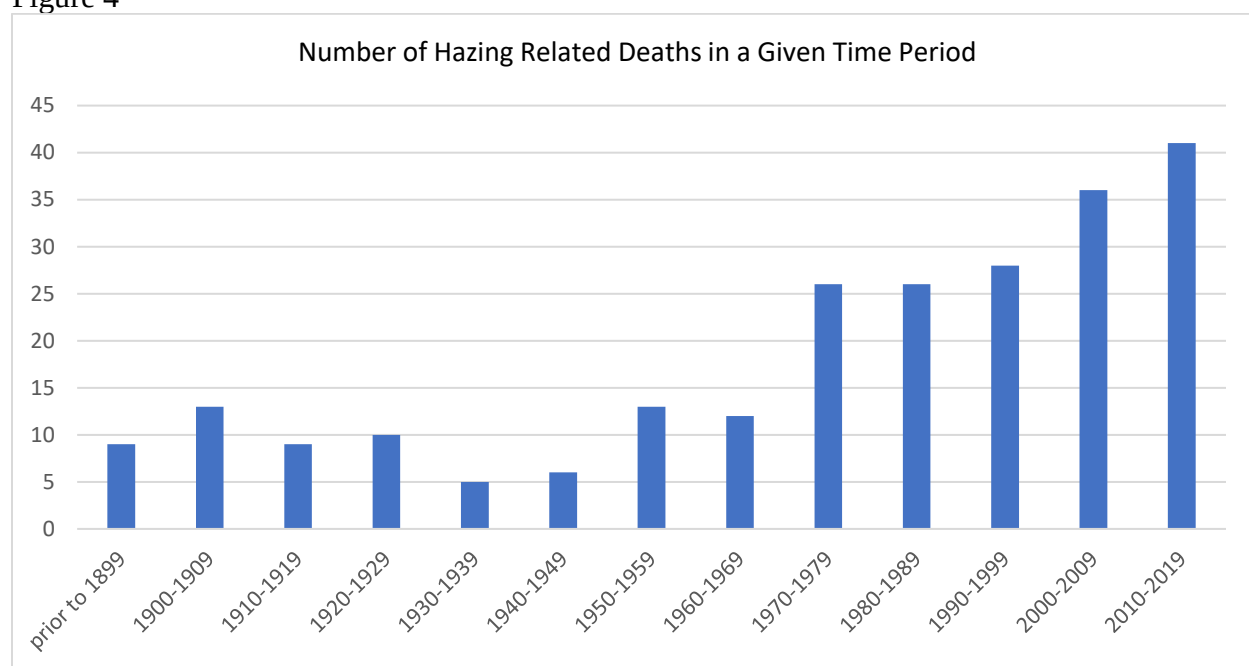


Figure 4



Works Cited

- “About StopHazing.” *StopHazing*, www.stophazing.org/about/.
- Allan, Elizabeth J., and Mary Madden. “Hazing in View: College Students at Risk.” *StopHazing.org*, 2008, www.stophazing.org/wp-content/uploads/2014/06/hazing_in_view_web1.pdf.
- “American Federalism: a View from the States.” *American Federalism: a View from the States*, by Daniel Judah. Elazar, Harper & Row, 1984, pp. 109–143.
- APLU. “APLU Annual Report 2018.” APLU, 2018.
- Associated Press. “New Anti-Hazing Law Signed in Pennsylvania after Death of Student.” *NBCNews.com*, NBCUniversal News Group, 19 Oct. 2018, www.nbcnews.com/news/us-news/new-anti-hazing-law-signed-pennsylvania-after-death-penn-state-n922231.
- Berkman, Justin. “SAT / ACT Prep Online Guides and Tips.” *How to Improve Reading Comprehension: 8 Expert Tips*, 1 July 2018, blog.prepscholar.com/list-of-uc-schools-ranking.
- “Biggest Colleges in Vermont 2018.” *College Stats*, College Stats, 2018, collegestats.org/colleges/vermont/largest/.
- Coulombis, Anglea. “Pa. Senate Approves Anti-Hazing Bill Named after Timothy Piazza.” *Pittsburgh Post-Gazette*, 15 Oct. 2018, www.post-gazette.com/news/crime-courts/2018/10/15/anti-hazing-legislation-Timothy-Piazza-penn-state-university-beta-theta-pi-fraternity/stories/201810150188.
- Data Team. “Hazing Deaths on American College Campuses Remain Far Too Common.” *The Economist*, The Economist Newspaper, 13 Oct. 2017, www.economist.com/graphic-detail/2017/10/13/hazing-deaths-on-american-college-campuses-remain-far-too-common.
- DeKok, David. “Pennsylvania Law to Make Hazing Punishable as Felony.” *Reuters*, Thomson Reuters, 19 Oct. 2018, www.reuters.com/article/us-pennsylvania-hazing/pennsylvania-law-to-make-hazing-punishable-as-felony-idUSKCN1MT1BL.
- Farrington, Brian. “Farrington's View.” *Arizona Republic*, 22 Mar. 2001, p. 4.
- Fitzpatrick, Jody L., and Rodney E. Hero. “Political Culture and Political Characteristics of the American States: A Consideration of Some Old and New Questions.” *The Western Political Quarterly*, vol. 41, no. 1, Mar. 1988, pp. 145–153.
- “Forty-Fifth Legislature First Regular Session.” *Session Laws State of Arizona*, 2001, p. 1105.
- “Hazing Reporting.” *StopHazing*, www.stophazing.org/infographics/.
- Hogan, Robert E. “Challenger Emergence, Incumbent Success, and Electoral Accountability in State Legislative Elections.” *The Journal of Politics*, vol. 66, no. 4, Nov. 2004, pp. 1283–1303.
- Hogan, Robert E. “Policy Responsiveness and Incumbent Reelection in State Legislatures.” *American Journal of Political Science*, vol. 52, no. 4, Oct. 2008, pp. 858–873.
- “House Final Readings - HB 2476.” *Bill Status Inquiry*, apps.azleg.gov/BillStatus/BillOverview?Sessionid=93.
- “Interactive Hazing Data.” *StopHazing*, www.stophazing.org/interactive-hazing-data/.
- Johnson, Charles A. “Political Culture in American States: Elazar's Formulation Examined.” *American Journal of Political Science*, vol. 20, no. 3, Aug. 1976, pp. 491–509.
- Karch, Andrew. “Emerging Issues and Future Directions in State Policy Diffusion Research.” *State Politics & Policy Quarterly*, vol. 71, no. 1, 2007, pp. 54–80.
- Legislative Data Processing Center. “Bill Information (History) - Senate Bill 1090; Regular Session 2017-2018.” *Section 2709 - Title 18 - CRIMES AND OFFENSES*, www.legis.state.pa.us/cfdocs/billinfo/bill_history.cfm?syear=2017&sind=0&body=S&type=B&bn=1090.

- Legislative Data Processing Center. "Senate Co-Sponsorship Memoranda." *Section 2709 - Title 18 - CRIMES AND OFFENSES*, 21 Mar. 2018, www.legis.state.pa.us/cfdocs/Legis/CSM/showMemoPublic.cfm?chamber=S&SPick=20170&cosponId=25456.
- Lieske, Joel. "American State Cultures: Testing a New Measure and Theory." *Publius*, vol. 42, 2012, pp. 108–133.
- Lieske, Joel. "The Changing Regional Subcultures of the American States and the Utility of a New Cultural Measure." *Political Research Quarterly*, vol. 63, no. 3, Sept. 2010, pp. 538–553.
- McCubbins, Mathew D., and Thomas Schwartz. "Congressional Oversight Overlooked: Police Patrols versus Fire Alarms." *American Journal of Political Science*, vol. 28, no. 1, Feb. 1984, pp. 165–179.
- Meier, Kenneth J. "Drugs, Sex, Rock, and Roll: A Theory of Morality Politics." *Policy Studies Journal*, vol. 27, no. 4, 1999, pp. 681–695.
- Meier, Kenneth J. *The Politics of Sin: Drugs, Alcohol, and Public Policy*. M.E. Sharpe, 1994.
- Mooney, Christopher Z., and Mei-Hsien Lee. "Morality Policy Reinvention: State Death Penalties." *The Annals of the American Academy of Political and Social Science*, vol. 566, 1999, pp. 80–92.
- Morgan, David R., and Sheilah S. Watson. "Political Culture, Political System Characteristics, and Public Policies among the American States." *Publius*, vol. 21, no. 2, 1991.
- Riker, William H. "The Political Psychology of Rational Choice Theory." *Political Psychology*, vol. 16, no. 1, Mar. 1995, pp. 23–44.
- "Session of 2018 202nd of the General Assembly." *Commonwealth of Pennsylvania Legislative Journal*, vol. 18, 18 Apr. 2018, p. 328.
- Sherwood, Robbie. "School Hazing Bill Passes House." *Arizona Republic*, 22 Mar. 2001, p. B4.
- Tversky, Amos, and Daniel Kahneman. "Rational Choice and the Framing of Decisions." *The Journal of Business*, vol. 59, no. 4, Oct. 1986, pp. S251–S278.
- U.S. Census Bureau, Vintage 2018 Population Estimates
- "Who Are We." *HazingPrevention.org*, hazingprevention.org/home/about/who-we-are/.