



## Judge gives ex-UNL fraternity president jail, fine

By LORI PILGER / Lincoln Journal Star | Posted: Thursday, May 27, 2010 3:00 pm

Offering a scathing indictment of hazing and underage drinking, Lancaster County Judge Gale Pokorny sent the former president of a now-suspended University of Nebraska-Lincoln fraternity to jail.

"Those other young men who will assume similar roles on campus in the future need to know that he is not probation material," Pokorny said of Michael Classen, who since has graduated.

Classen, 23, pleaded no contest to hazing and procuring alcohol, admitting to slapping a Sigma Chi fraternity pledge in the face and buying three kegs of beer for fraternity events.

In September, UNL [suspended the fraternity](#) for four years on the heels of an investigation spurred by a former pledge.

Classen and eight other fraternity members were charged, and two former pledges filed lawsuits, one [alleging Classen paid a stripper](#) who sexually assaulted him with a sex toy at an off-campus party.

All but Classen got probation. In court Thursday, he stood before the judge, apologetic.

Looking back, he said, he made a countless number of serious mistakes. For one, he said, he didn't understand the dangers of underage drinking and did nothing to stop it.

"I struggle with this every day," Classen said.

As for the hazing, he said, he takes full responsibility for his actions, the egregious lack of judgment and poor decision-making.

"I never did any of it in an attempt to hurt anyone," Classen said.

He said he's tried to recenter his life and put himself on the right path. He's got a job, he's engaged, he's buying a house.

He said it's his greatest sadness that his actions led to people being emotionally hurt.

Classen's attorney, John Berry, asked the judge to keep in mind that his client is an Eagle Scout who earned scholarships to go to UNL. A man who volunteered at a hospital and got an alcohol evaluation after the charges were filed.

He said Classen readily admits he slapped a pledge -- something that was done to him when he was a pledge -- and "did some otherwise stupid things," like give a stripper money to do "something special" for one particular pledge.

While it may have been risky and unsafe and stupid, that contact was not necessarily illegal, he said.

"He had no idea she would do the things she did," Berry said, adding that exactly what happened is contested.

As president of the fraternity, Classen failed, Berry said, but he argued that his client's actions were no more egregious than the others involved.

Deputy County Attorney Amy Jacobsen disagreed.

Obviously, she said, Sigma Chi had a systemic problem, but Classen was at the center of it.

And, while she may not be able to [prove sexual assault](#) and no sexual assault charge was filed, she said there's no doubt in her mind it happened. Classen didn't do it, "but it happened as a result of his actions," she said.

And the hazing didn't end there, she said. No one helped him, and then there was a cover up, she said.

"A person has to be responsible for their actions and the results of their actions," Jacobsen said, asking for jail time.

Pokorny agreed, sentencing Classen to five days in jail and a \$500 fine.

But first, he took issue with the notion he'd gotten in presentence interviews that the pledge who reported the conduct to police was a whiner, a complainer and that he alone blew what happened out of proportion.

"(The pledge) might have been the first to speak out, but he just opened the floodgate," Pokorny said.

A dozen or so others have acknowledged the pledge's narrative of a fraternity out of control under Classen's leadership, he said.

Pokorny recounted details of the fraternity's rituals of violence and drunkenness, all in the name of "character building," and expressed frustration by those who sat by while it happened. It takes courage to stand up to bullies and principle to defend the weaker, he said.

"It takes character. And the majority of upperclassmen in this organization didn't have it," Pokorny said.

Freshman year at a university should be a wonderful experience, a cornucopia of new people from different backgrounds and experiences, the judge said. Classen could have nurtured that.

Instead, Pokorny said, he chose to destroy it for Sigma Chi pledges.

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