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Former fraternity leaders sentenced
All four plead 'no contest,' will face community service, fines and alcohol awareness classes

By Stephen Keller

Former Sigma Alpha Epsilon President Chase Bolding, wearing a black suit and carrying a nervous expression on his face, walked into a county courtroom Monday, sat down before the judge's bench and took a deep breath.

Bolding, former pledge trainer William Evans and economics senior and former pledge trainer Austin Sherrill pleaded no contest to hazing and providing alcohol to a minor. Jimmy Berry, former fraternity vice president, pleaded no contest to failure to report hazing. All four received a \$1,000 fine, 100 hours of community service and six hours of alcohol awareness classes. Berry and Bolding each received one year of deferred adjudication, while Evans and Sherrill received two years. Sherrill and Evans must also spend four days in Travis County Jail without good-time credit or work release starting May 30. Evans, who received an additional 80 hours of community service, Bolding and Sherrill also agreed not to fight their expulsion from the fraternity.

Probable cause affidavits released Friday described SAE hazing acts committed during the fall 2006 semester, including shocking pledges with cattle prods, beating them with pieces of bamboo and forcing them to binge drink. The affidavit also stated that Sherrill burned two pledges on the face with a hot clothes iron on one occasion and that Evans forced another pledge to put his hand against a dart board while Evans threw darts at him.

Travis County Attorney David Escamilla said the 2006 death of engineering freshman and pledge Tyler Cross sparked the hazing investigation. Some of the events described in the affidavits took place the night before Cross died.

Assistant District Attorney Claire Dawson-Brown said the felony investigation into Cross' death produced insufficient evidence to go before a grand jury and that the investigation is now closed.

"There was definitely a lot of evidence about what happened that night hours before," she said. "It's the attenuation between then and when he actually fell to his death that becomes problematic in showing causal effect."

Attorney Allan Williams, who represents Berry, said he believed the plea agreement was fair but had some misgivings about it. Bolding's attorney Wayne Meissner said his client accepted responsibility for his actions by accepting the plea deal. He said Bolding graduated from UT and now lives in New York.

"He is certainly remorseful for any difficulty that may have been caused during his presidency," Meissner said. "Of course his heart goes out to the Tyler Cross family, and he has had them in his thoughts and prayers since the tragedy unfolded."

The attorneys representing Evans and Sherrill did not return phone calls from The Daily Texan.

The fraternity signed an agreement with UT officials on April 7 restructuring SAE's pledge process. Escamilla said his office could also press charges against the fraternity but has decided to wait to see if the agreement will hold.

"You can't send [the entire chapter] to jail, obviously, but you can fine them money," he said. "This organization has the financial resources; they could have paid a fine. I'm more interested in seeing their behavior change."

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Two sentenced to 4 days in jail for hazing
Four UT fraternity members sentenced for 2006 treatment of pledges.

By Steven Kreytak
AMERICAN-STATESMAN STAFF

Two former "pledge trainers" at a University of Texas fraternity - one who was accused of touching a hot clothes iron to pledges' faces and another accused of shocking his prospective fraternity brothers with a cattle prod - will spend four days in jail after pleading no contest Monday to hazing and furnishing alcohol to minors.

Will Evans and Austin Sherrill, both 23, were sentenced to two years deferred adjudication, a form of probation. Along with the jail time, Evans is required to complete 180 hours of community service and Sherrill 100 hours.

The former president of Sigma Alpha Epsilon's UT chapter, Chase Bolding, 23, also pleaded no contest to the charges and received one year of deferred adjudication. Bolding, who admitted in court to shocking pledges with a cattle prod and other abusive behavior, must perform 100 hours of community service.

A fourth member of the fraternity, Jimmy Berry, 23, pleaded no contest to failure to report hazing, the first use of such a charge in a hazing case, said Travis County Attorney David Escamilla. Berry received one year deferred adjudication.

The investigation of the fraternity began after 18-year-old pledge Tyler Cross fell to his death from a fifth-floor balcony of an off-campus dormitory in November 2006. None of the charges related directly to Cross' death, although some of the hazing the men admitted to happened the night before Cross was found dead.

Escamilla said the prosecutions show he is determined to tamp down on hazing. Each of the men also will be required to complete a six-hour alcohol course and to submit an affidavit accepting responsibility for their actions.

"You are aware that this behavior is not acceptable in this community?" County Court-at-Law Judge David Crain asked Bolding.

"Yes," said Bolding, who now lives in New York.

Crain asked a similar question to Evans, a student at the University of St. Thomas in Houston, and Sherrill, who attends UT. Sherrill and Evans were ordered to begin serving their sentences May 30.

Each defendant declined to comment outside court, as did all of their lawyers except Allan Williams, who represents Berry. "We are glad this is finally over with and they can get on with their professional lives," he said. Berry works in investment banking in New York, Williams said.

The earliest incidents of hazing laid out in affidavits filed by a county attorney's investigator came Sept. 9, 2006, when the pledges were gathered in a University Towers dorm room. Bolding required a pledge to hold himself on a table on his elbows and toes, and then flipped the table over; Sherrill touched a hot clothes iron to the faces of two pledges; and Evans made a pledge put his hand on a dart board while Evans threw darts at it, the affidavits said.

At events later in the semester, the pledges were made to gather cacti with their bare hands, and Evans made three pledges eat Crisco shortening, made two eat cat food and shocked several pledges with a cattle prod, the affidavit said.

On Nov. 16, 2006, the night before Cross was found dead, the pledges were given half-gallon liquor bottles to drink, according to the affidavit.

About 4 a.m. Nov. 17, 2006, Cross, a freshman from Marietta, Ga., was discovered on the sidewalk near University Towers, police said. An autopsy report said Cross had a blood alcohol level of more than twice the legal limit for driving in Texas.

In a statement, Cross' mother, Debra Cross, called her son "an awesome young man" and the crimes "troubling."

"Our faith, family and friends, including the families of the boys charged, have been vital in supporting us over the past 18 months," she said.

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