

Tonganoxie dad sentenced in DUI crash that killed his son

OFFICE OF LEAVENWORTH COUNTY ATTORNEY

TODD THOMPSON, COUNTY ATTORNEY

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countyattorney@leavenworthcounty.gov

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CASE NUMBER: LV-2022-CR-000556

LEAVENWORTH, Kan. --- A 35-year-old Tonganoxie father has been sentenced to over 11 years in prison on charges related to the murder of his son.

On April 4, 2024, a jury found Shane Michael Degraeve guilty of Second-Degree Murder, three counts of Aggravated Endangering of a Child, and Driving Under the Influence in connection with a single-vehicle crash that occurred in rural Leavenworth County on September 4, 2022.

During today's sentencing hearing, the judge ordered Degraeve to serve 135 months in the Kansas Department of Corrections.

Sentencing Breakdown:

- Count 1 - Second-Degree Murder: 117 months in prison
- Count 2 - Aggravated Endangering of a Child: six months in prison
- Count 3 - Aggravated Endangering of a Child: six months in prison
- Count 4 - Aggravated Endangering of a Child: six months in prison
- Count 5 - Driving under the Influence: six months in the Leavenworth County Jail

Counts 1 – 4 were ordered to run consecutively. Count 5 was ordered to run concurrently with Counts 1 – 4.

The Leavenworth County Sheriff's Department and the Kansas Highway Patrol investigated the incident. DeGraeve was driving a 2022 GMC Sierra 3500 pickup truck, a truck he owned when the crash happened. The truck's computer revealed Degraeve was driving speeds to the excess of 70 MPH when he crashed in the area of Easton Road and K-92. Degraeve failed to navigate the road. He drove his truck into a ditch, striking a sign and rolling his vehicle. A passenger in the front seat, who was nine years of age and not wearing his seatbelt, was ejected from the vehicle and later died. The two passengers in the backseat, also children, were transported to an area hospital for treatment.

While on the scene, law enforcement officers detected an odor of alcohol coming from Degraeve's breath; he also showed signs of impairment. Degraeve told law enforcement he was run off the road, but that was contrary to witness statements and evidence. Degraeve did admit to having one beer. Degraeve's blood alcohol level came back at .083. This is higher than Kansas's legal limit of .08. The truck also had two seatbelt "silencers," which prevent occupants from buckling into the vehicle.

County Attorney Todd Thompson expressed his sympathy for the families affected by the tragic loss of this child. "Our hearts go out to the families involved in this incident. DeGraeve's responsibilities as a father include adhering to traffic laws, avoiding driving under the influence, and ensuring the safety of his children." Additionally, Thompson stated, "Seatbelt silencers, sometimes used in vehicles, may pose a greater risk than benefit, as in this case, where one contributed to a child not wearing his seatbelt and tragically losing his life."

Christopher Lyon, Leavenworth Assistant County Attorney, prosecuted the case. Thomas Bath defended Mr. Degraeve.