

Tonganoxie man found guilty of charges related to DUI crash that killed his son

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CASE NUMBER: LV-2022-CR-000556

LEAVENWORTH, Kan. --- A 35-year-old Tonganoxie father has been found guilty of Second-Degree Murder, three counts of Aggravated Endangering of a Child, and Driving Under the Influence

On April 4, 2024, a jury found Shane Michael Degraeve responsible for a single-vehicle crash that killed his son. The crash happened in rural Leavenworth County on September 4, 2022.

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 a .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.

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

County Attorney Todd Thompson said, **"Driving is a privilege, not a right. There are rules, especially rules regarding impaired driving and the safety of those in your vehicle—especially the safety of children. Vehicles have seatbelts for a reason, and parents have responsibilities. No one should ever drive while impaired."**