

Union County State's Attorney

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Press Release - For Immediate Release

Defendant's Name: David Tschappat
Age: 30
City and State of residence: Sioux Falls, SD
Criminal File Number: 15-101
Offense Occurred On: February 26th, through March 13th, 2015
Indicted: April 22, 2015
Plead Guilty On: September 14, 2015
Convicted of: Ct. 1: Contributory Abuse of a Child, SDCL 22-9-1, (M1)
Sentencing Date: September 14, 2015

Case Synopsis:

On about February 26th, through March 13, 2015 a law enforcement investigation in cooperation with the Dept. of Social Services concluded that David Tschappat assaulted and / or otherwise abused a child in his care. In an interview with law enforcement, David Tschappat admitted that his actions were abusive. The 5 year old victim in this case described acts that if believed by twelve jurors, would have amounted to aggravated assault by strangulation. While there were no witnesses to this specific event, other children in the home also recounted abusive behavior by Tschappat. A plea agreement was reached which was weighted heavily on the admissions by Tschappat to his abusive behavior towards the 5 year old victim. As this case was proceeding, the bond condition forced Tschappat to not have any contact with the victims in this file. In this case, this office felt that justice was best served by the defendant's conviction of a misdemeanor offense.

Sentencing Synopsis:

The Court sentenced David Tschappat to the Union Count Jail for a term of 360 days. The Court suspended 360 days of that county jail sentence and ordered Tschappat successfully complete a one-year term of un-supervised probation. The Court further ordered that Tschappat do / comply with the following:

- That Tschappat \$84.00 in Court Costs on the misdemeanor file;
- That Tschappat attend and complete an anger management program within in six months of sentencing;
- That Tschappat pay \$69.50 in prosecution costs;
- That Tschappat pay \$1000.00 in fines on the misdemeanor file; and
- That Tschappat pay \$985.50 in court-appointed attorney fees.

Criminal History:

This is Tschappat's first career misdemeanor conviction.