

GUILTY: Effingham Man Faces Life in Prison on Sex Charges

A 52 year old Effingham man faces life in prison after being found guilty by an Atchison County Jury on amended sex charges.

After just over two hours of deliberation by the jury, the verdict read Wednesday morning by Atchison County District Judge Martin Asher found David Smith guilty of three counts of aggravated indecent liberties with a child that occurred between September 2010 and July of 2011 and not guilty of three counts of rape.

Smith originally faced 15 indecent liberties counts and 15 rape counts before testimony by the victim and evidence presented Tuesday afternoon caused the judge to amend the charges.

Since one of the guilty counts happened while the victim was under 14, under Jessica's law, Smith will face a mandatory life sentence.

He will face standard sentencing guidelines on the other two charges.

Smith's expression changed little during the reading of the verdict, while one member of the victim's family eyes closed her eyes and bowed her head with an expression of relief.

Smith was arrested on July 26th of last year by the Atchison County Sheriff's Department and has remained in jail since.

Sentencing is scheduled for March 19th.