



COUNTY of GALVESTON
Criminal District Attorney
JACK ROADY

Kevin Petroff
First Assistant

Johnny J. Freeze
Chief Investigator

Zonia Wilturner-Smith
Chief Executive Officer

FOR IMMEDIATE RELEASE

JURY SENTENCES MAN TO 20 YEARS FOR FELONY DRIVING WHILE INTOXICATED

September 10, 2015

GALVESTON – Today a jury sentenced Ollie Paul Packard, 60, to 20 years in the Institutional Division of the Texas Department of Criminal Justice, with a \$9,000 fine, after finding him guilty of the felony offense of Driving While Intoxicated yesterday. Packard was prosecuted by Assistant District Attorneys T. Matthew Heermans and Beverly Armstrong in the 212th District Court, with Judge Patricia Grady presiding. James Bennett represented the defendant.

Santa Fe Police Department Officer R. Garcia testified that, on the afternoon of August 17, 2013, he was dispatched to locate a suspected drunk driver. Officer Garcia was able to find the suspect and vehicle based on the description given by the 911 caller. Officer Garcia made contact with the occupants of the vehicle and found that the person seated in the passenger seat matched the description of the driver given by the 911 caller. After speaking to both occupants of the vehicle, Officer Garcia was able to determine that the passenger, Packard, was the operator of the vehicle. Officer Garcia testified that Packard was highly agitated, smelled of alcohol, had unsteady balance, and had slurred speech. Packard refused to perform field sobriety tests or consent to give a blood sample, but did tell Officer Garcia that he had previously had two beers. The State introduced into evidence Officer Garcia's patrol car video and played the video for the jury, showing how agitated and argumentative Packard was on the day of his arrest. The video also showed Packard falling down when he exited the vehicle.

The State presented evidence of the 911 caller's written statement from the day of the arrest, which detailed the description of the vehicle and the person who exited the driver's side after the vehicle parked in a business parking lot. The written statement explained how the vehicle veered into oncoming traffic almost

Felony Section
Off: 409-766-2355

Family Law Section
409-766-2364

Grand Jury Section
409-766-2379

Worthless Check Section
409-766-2429

Felony Victim's Asst.
409-770-5124

Houston Line
281-316-8300

Fax: 409-766-2290

www.co.galveston.tx.us

600 59TH Street, Suite 1001 • Galveston, Texas 77551-4137



COUNTY of GALVESTON
Criminal District Attorney
JACK ROADY

Kevin Petroff
First Assistant

Johnny J. Freeze
Chief Investigator

Zonia Wilturner-Smith
Chief Executive Officer

colliding with the 911 caller's vehicle. The 911 caller then followed the vehicle to a parking lot and watched as the driver exited the vehicle before calling to report the incident.

The other occupant of the vehicle testified that although he was seated in the driver's seat when Officer Garcia arrived and told Officer Garcia he was the driver, he in fact had not driven the vehicle. The other occupant also testified that Packard had had a lot to drink that night and was drunk.

During the guilt/innocence phase, the State submitted evidence of two prior felony driving while intoxicated convictions, both in 1993. After a day and a half of testimony, the jury deliberated for about an hour before returning a guilty verdict. The Defendant faced a sentencing range of two to 20 years because of one felony enhancement for a 2000 conviction for felony driving while intoxicated. During the punishment stage, the State presented evidence about the felony enhancement and also submitted evidence showing Packard also had an additional 1989 misdemeanor conviction for driving while intoxicated. Packard testified, stating he believed he had 8 or 9 prior driving while intoxicated convictions. Packard went on to ask the jury to "show mercy" towards him in their sentencing. Following jury deliberations, the jury sentenced Ollie Paul Packard to 20 years in prison and assessed a \$9,000 fine.

Felony Section
Off: 409-766-2355

Family Law Section
409-766-2364

Grand Jury Section
409-766-2379

Worthless Check Section
409-766-2429

Felony Victim's Asst.
409-770-5124

Houston Line
281-316-8300

Fax: 409-766-2290

www.co.galveston.tx.us

600 59TH Street, Suite 1001 • Galveston, Texas 77551-4137