



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

**MAN PUNISHED TO LIFE FOR
AGGRAVATED SEXUAL ASSAULT OF A CHILD**

November 6, 2015

GALVESTON – Today, visiting judge, David Garner, in the 122nd Judicial District Court, entered a judgment for Billy Wayne Atwood, 37, for Life in the Institutional Division of the Texas Department of Criminal Justice and a fine of \$10,000. On Thursday, a jury found Atwood guilty and today set punishment at Life. Atwood was prosecuted by Assistant District Attorneys Rebecca Russell and Virginia Frank. Winifred Weber represented Atwood.

Atwood was arrested and charged in 2012 for continuous sexual assault of a child. During the trial the victim testified that the sexual abuse spanned about 6 years, ending when the victim reported the sexual abuse to a school counselor. The victim outlined for the jury the extent of the sexual abuse and where the sexual abuse took place. The Texas Department of Public Safety Crime Lab Analyst testified that Atwood's DNA was found on sections of carpet taken from the location where the victim said the sexual abuse took place.

The defendant testified during the guilt phase of trial, telling the jury they should not believe the victim. Atwood, however, could not explain why the presence of his semen would be found on the carpet.

The jury found Atwood guilty of aggravated sexual assault of a child, late Thursday afternoon. Over the objection of the State, Atwood was allowed to remain on bond until the punishment verdict was received. The punishment phase began at 9:00 a.m. today. Atwood did not appear and could not be located, nor did he contact the court to explain his absence.

During the punishment phase, the State presented testimony from a witness who explained to the jury that Atwood had previously exposed his penis to the witness, when the witness was a minor.

During closing arguments, the State argued to the jury that the victim will be serving a life sentence because the victim will have to forever live with the abuse inflicted by Atwood. Because of this abuse the

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

victim was ostracized from family and turned away. The State asked the jury to make Atwood serve the same life sentence in prison, where he would be left to forever remember the acts that put him there.

Atwood faced a sentencing range of 5 years to 99 years or Life in the Institutional Division of the Texas Department of Criminal Justice. He will not be eligible for parole until at least 30 years of his sentence has been served. If released from prison on parole, Atwood will be required to register for life, every 90 days, as a sex offender.

Local and State authorities continue to search for Atwood. If you have any information, please contact your local law enforcement agency.



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