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Press Release

For Immediate Release

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Man Sentenced to 50 Years for Driving While Intoxicated

GALVESTON – Friday, Kyle Lindsey Smith, 48, was sentenced to 50 years in the Institutional Division of the Texas Department of Criminal Justice, as assessed by the jury, for the felony offense of Driving While Intoxicated.

On Monday, March 11, 2016, trial began in the 405th District Court. The State presented witness testimony and physical evidence that Kyle Smith drove a vehicle in Santa Fe, Texas on April 29, 2014 while intoxicated.

On the morning of April 29, 2014, police received reports of a possibly intoxicated driver, driving all over the road. Officers are dispatched to the location of the vehicle and observe the vehicle drive on the shoulder and run a red light almost hitting another vehicle. The vehicle was stopped and the driver was identified as Smith. Also inside the vehicle was a child passenger. The officer immediately noticed signs of intoxication. While talking to officer, Smith admitted to taking Vicodin and Soma that day and that his driver's license was suspended. The officer had Smith perform several tests to determine Smith's level of intoxication. At the conclusion of those tests, the officer determined Smith was intoxicated and arrested Smith for driving while intoxicated. During an inventory of Smith's vehicle, officers found Soma and Hydrocodone pills. Smith consented to having his blood drawn for analysis and was taken to Mainland Medical Center for the blood draw. DPS Crime Lab testing confirmed that Smith's blood contained high levels of Soma and Hydrocodone.

The State also introduced evidence of Smith's prior driving while intoxicated convictions. In 2006 and in 2009 Smith was convicted in Galveston County for driving while intoxicated.

The jury heard closing arguments Friday morning and then retired to deliberate. The jury returned after lunch with a guilty verdict. Smith faced a punishment range of 25 to 99 years, or Life in prison for the third degree felony offense because of two prior felony enhancements, a 1989 felony conviction for kidnapping and a 2011 felony conviction for possession of a controlled substance. After about 2 hours of deliberations, the jury returned with a punishment verdict of 50 years confinement. Smith will not be eligible for parole until at least 12.5 years of his sentence has been served.

Smith was prosecuted by Assistant District Attorneys T. Matthew Heermans and Christopher Henderson, in the 405th District Court, with Judge Michelle Slaughter presiding. The investigation was conducted by the Santa Fe Police Department.

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