

Fourth Offense OUI While Driving At Excessive Speeds Results in State Prison Sentence

A 43-year-old Hyannis man who, while heavily intoxicated, was clocked driving in excess of 120 miles per hour along Interstate 195, was sentenced to serve three to four years in state prison, Bristol County District Attorney Thomas M. Quinn III announced.

Benjamin Carpenter pleaded guilty last week in Fall River Superior Court to a multi-count indictment charging him with Fourth Offense OUI, possession of Fentanyl with intent to distribute-subsequent offense, negligent operation of a motor vehicle, and driving with a revoked license-habitual traffic offender.

On March 19, 2016 at around 9:45 pm, Massachusetts State Police clocked the defendant's vehicle driving 120 miles per hour on Route 195 East in New Bedford. The defendant's vehicle was followed and eventually pulled over in Fairhaven. While pulling his vehicle into the shoulder, the defendant could be seen throwing a bag out the driver's side window. The bag, which was retrieved by state police, contained just under 10 grams of Fentanyl. The defendant's blood alcohol level at the time of his arrest was .20.

During a sentencing hearing before Judge Thomas McGuire, Assistant District Attorney Matthew Friedel argued that based on the defendant's prior three convictions for OUI and his habitual traffic offender status, he should be sentenced to serve three-and-a-half years in state prison. The defendant, however, requested a more lenient two-and-a-half to three-and-

a-half year state prison term. Judge McGuire, after hearing from both parties, sentenced the defendant to serve a three to four year state prison term and placed him on probation for two years. The probation term will not begin until the defendant is released from prison.

“The defendant engaged in extremely ‘outrageous’ operation of a motor vehicle while highly intoxicated that put the lives and safety of the public at risk,” District Attorney Quinn said. “The defendant has prior drunken driving convictions that justify the state prison sentence to both punish him and protect the public. In addition, he was in possession of the very dangerous drug, Fentanyl.”