

Book: Goodman juror conducted drinking experiment night before guilty verdict

By [Peter Franceschina](#), Sun Sentinel

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One of the jurors in John Goodman's DUI-manslaughter trial who wrote a book about his experiences makes a startling revelation: He conducted an experiment the night before the [Wellington](#) polo mogul was convicted by drinking three vodkas to see how they would affect him.

Juror Dennis DeMartin of [Delray Beach](#), who provided a copy of his book to the Sun Sentinel on Thursday, wrote that the experiment helped convince him that Goodman was guilty. The revelation comes as Goodman's defense attorneys are seeking to have the conviction thrown out based on jury misconduct.

Defense attorney Roy Black told the Sun Sentinel that DeMartin's experiment was a "classic case of jury misconduct."

Prosecutors could not be reached for comment Thursday despite an attempt by phone.

DeMartin wrote in his book, "It was bothering me that if there was proof that if Mr. Goodman only had 3 or 4 drinks, how drunk would he be? How drunk would I be? I decided to see."

"At 9pm I had a vodka and tonic, followed by another at 9:30pm and a third at 10pm," DeMartin wrote, adding he then walked around his condo complex and realized he was "confused" about where he was in the complex. He wrote that he went home and went to sleep.

"When the alarm went off the next morning, I got up and felt relieved. The question in my mind the night before was answered to me. Even if a person is not drunk, 3 or 4 drinks would make it impossible to operate a vehicle. I got dressed and was in a fine frame of mind to go to deliberate the evidence we had," DeMartin wrote.

Later in the book, titled "Believing in the Truth," DeMartin wrote that during deliberations, jurors decided that Goodman was "not fit to drive."

He puts the next sentence in parentheses and underlined it: "(I surely decided that the night before.)" The self-published book is for sale on Amazon.com.

At the outset of the trial, jurors were instructed by Palm Beach Circuit Judge Jeffrey Colbath not to conduct any "experiments" or outside investigations of the case, and that their verdict had to be based solely on the evidence presented in the courtroom.

Black said Thursday that DeMartin had a profit motive in voting guilty, and that in itself is grounds for the verdict to be overturned.

"You can't have jurors that have a profit motive sitting on your case. It is turned from deciding guilt or innocence into a platform for a book that he is going to publish," Black said, adding that DeMartin's drinking experiment violated the judge's instructions.

"I think it is a classic case of jury misconduct," he said.

Black already was seeking to have the guilty verdict thrown out, largely based on alleged jury misconduct. Black filed a motion Thursday outlining a number of reasons why the verdict was fatally flawed.

The defense alleges jurors discussed evidence in the case and already had made up their minds to convict Goodman even before they began their formal deliberations.

Black said he now wants to know if DeMartin told the other jurors about his drinking experiment, and that he will amend his motion for a new trial to include the new information concerning DeMartin's drinking experiment.

Colbath held a hearing Monday to pose limited questions to jurors about whether they had discussed Goodman's vast wealth and whether it influenced their deliberations. The jurors said they had not discussed Goodman's wealth, and denied that they had made up their minds to convict Goodman before deliberations.

Black also wants to be able to pose far wider ranging questions to jurors.

One juror, Michael St. John of West Palm Beach, said during Monday's hearing that he felt pressured by the other jurors to vote for guilty, and that he felt some of the jurors had made up their minds to convict Goodman before the trial was over.

"The testimony elicited at the April 30th hearing has now made crystal clear that court must grant a new trial based on the jury's improper, premature deliberations," Black wrote in the defense motion. "The evidence that now exists establishes that the jury not only discussed the evidence, but had made up their minds to convict Mr. Goodman prior to the commencement of deliberations."

St. John did not offer specifics about which jurors had already made up their minds. "They were just like: We know he's guilty. Let's just sign the paperwork and get out of here. It was almost like they had deadlines," St. John said, according to a transcript of Monday's hearing included with the defense motion.

Prosecutors filed their own motion arguing that juror misconduct was not established, and that St. John agreed with the guilty verdict when it was handed down. His remorse over his guilty vote is not a legal reason to toss the verdict, prosecutors said.

"Juror St. John is the only juror out of seven other jurors who told the court he thought that the other jurors had their minds made up as to the defendant's guilt prior to deliberations. And, as such, the veracity of his statement is suspect," prosecutor Ellen Roberts wrote. "St. John admitted that the verdict as read was his verdict. Never once did he hesitate or in any way indicate that the verdict was not his until a month later."

Colbath indicated to the prosecution and defense that he would rule on the motion for a new trial either Friday or Monday. Goodman, who was convicted on March 23, now faces up to 30 years in prison at his May 11 sentencing.

Goodman, 48, was driving his Bentley convertible south on 120th Avenue in [Wellington](#), at 63 mph, when he ran a stop sign at Lake Worth Road, smashing into Wilson's Hyundai. The crash happened about 1 a.m. on Feb. 12, 2010, after Goodman — founder of Polo Club International Palm Beach — had been drinking at two [Wellington](#) watering holes that cater to the polo community.

After the crash, Goodman left the scene. Three hours later, his blood-alcohol level was measured at .177 percent, more than twice the legal limit.

Goodman recently reached a \$40 million settlement in a wrongful-death suit filed by Wilson's parents, who also will receive an additional \$6 million from one of the bars where Goodman was drinking the night of the crash.

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