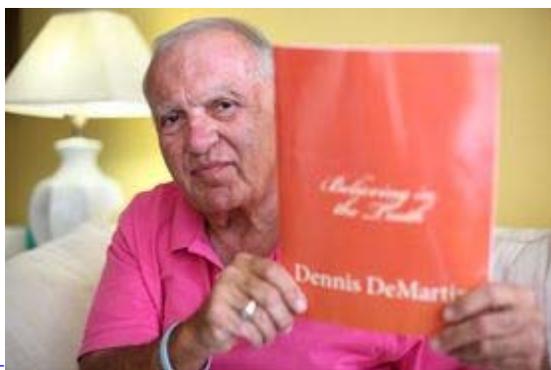


## Allegations of lies, misconduct has Goodman juror sharing negative spotlight with convicted polo mogul

Posted: 6:42 p.m. Saturday, April 27, 2013



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Dennis DeMartin  
(Gary Coronado/2012 Palm Beach Post file photo)

By Daphne Duret - Palm Beach Post Staff Writer

WEST PALM BEACH —

Come Monday, Dennis DeMartin may have more than just some explaining to do.

The former juror in John Goodman's high-profile DUI manslaughter trial has become almost as popular as the Wellington polo magnate himself over the past year, mostly because a drinking experiment and the alleged lies surrounding his jury service could earn Goodman a new trial.

DeMartin, a 69-year-old retiree from Delray Beach, has faced no less than a half-dozen separate allegations that he violated Palm Beach County Circuit Judge Jeffrey Colbath's orders while he and other jurors sat through Goodman's March 2012 trial surrounding the death of 23-year-old Scott Wilson.

But Monday's second round of post-trial questioning from Colbath is rapidly earning the Palm Beach County juror a place in national legal discussions on wayward jurors. And, if the latest

allegations win Goodman a new trial, local attorneys say DeMartin could face both public backlash and a possible contempt of court charge.

“This is getting pretty close to as good as it gets,” jury consultant Art Patterson said last week.

Patterson, who frequently speaks to lawyers around the country on issues surrounding jury service, says he has a stock story about jury misconduct.

It involves a female juror who lied during jury selection when she said she knew no one associated with the case. Not only did she know one of the people involved in the case, Patterson would explain, but she also had reason to dislike him and cast her vote as a juror against him.

Recently, however, Patterson says he has replaced that story with a recap of the allegations against Palm Beach County’s own controversial juror. Patterson said that since DeMartin and five other jurors convicted Goodman of getting intoxicated and flipping Wilson’s car into a ditch where the graduate student drowned, DeMartin has:

— Written a book saying he conducted a drinking experiment the night before deliberations to gauge whether Goodman was drunk at the time of the crash, based on testimony in the case.

— Been accused of making derogatory statements about Goodman’s defense team to other jurors during the trial.

— Withheld from attorneys during jury selection that his ex-wife had previously been charged with DUI.

— Failed to disclose that his daughter and son-in-law had been victims of an armed home invasion robbery in which his daughter was raped.

— Allegedly told his ex-wife and children, during the trial, that he was seated on the Goodman jury.

— Faced charges from Goodman’s defense team that he has lied in letters to Colbath regarding the various allegations against him.

Some of the allegations, such as the drinking experiment, Colbath has already ruled as misconduct — although the judge said the experiment had no effect on the verdict and upheld Goodman’s conviction in spite of it.

Other allegations are unproven. For example, on the ex-wife’s DUI, DeMartin said in a letter to Colbath that he forgot about the DUI because of a stroke he suffered in 1988. But according to new accusations leveled by lead defense attorney Roy Black at a hearing last week, DeMartin spoke openly with his ex-wife — Jo Ellen Johnston — about the DUI during Goodman’s trial.

On Monday, Colbath is expected to question DeMartin specifically about Johnston's DUI. Meanwhile, lead prosecutor Sherri Collins has characterized the new allegations against DeMartin as just that — allegations — for now.

But West Palm Beach attorney Joseph Walsh is among the growing list of local lawyers who believe that if Colbath's questions reveal any dishonesty on DeMartin's part, either the judge himself or an appellate court soon after him will throw out Goodman's conviction.

Once that happens, prosecutors will have to once again bring to trial a case against Goodman, the International Polo Club Palm Beach founder, which former prosecutor Ellen Roberts said cost close to \$250,000 to litigate through the first trial.

DeMartin technically could face perjury charges if it's proven he lied under oath, but Walsh and others doubt that will happen. A contempt of court charge from Colbath is more likely, they say, but only slightly so.

What will probably happen, Walsh says, is that Goodman — who has been the object of much public scorn since his arrest — will have company in the spotlight.

“There will be a lot of people angry at him if the case gets overturned,” Walsh said of DeMartin.

“Here's someone who many people feel was rightfully convicted and received a just sentence,” he added, “and because of what one juror did, that will all go away.”