



# **John Goodman retrial decision: Judge grants a new trial to polo mogul John Goodman**

## **Defense attorney lauds 'courageous judge'**

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WEST PALM BEACH, Fla. -- In a surprise decision, John Goodman, the International Polo Club Palm Beach founder convicted of DUI manslaughter in connection with the death of University of Central Florida student Scott Wilson, was handed a courtroom victory on Friday after Fifteenth Judicial Circuit Judge Jeffrey Colbath said defense attorneys had proven allegations of juror misconduct.

Colbath ordered a new trial, and in doing so, vindicated defense attorneys who contended the actions of a single juror had compromised the fairness of the verdict.

"The jury is the foundation of our criminal justice system. It is the equalizer between the citizen and the state. However, as in any institution run by human beings, there will be those who seek to corrupt the process. A juror who deceives to get on a jury in a high profile case for his own profit is a trial lawyer's worst nightmare," Roy Black, Goodman's defense attorney said in a statement. "Fortunately, this time the deception was exposed and a courageous judge set aside the verdict. But in this new world of social media and self-publishing, expect this to occur more frequently. John Goodman's trial should stand as a warning to all of us."

Earlier this week, Colbath, Black and Assistant State Attorney Sherri Collins interviewed Dennis DeMartin, the juror at the center of misconduct allegations, during a nearly two-hour hearing at the Palm Beach County Courthouse.

DeMartin, one of the jurors who convicted Goodman of DUI manslaughter in connection with Wilson's death, repeatedly said during the hearing that complications from a stroke had clouded his memory -- including the DUI arrest of an ex-wife.

Black alleged that DeMartin had spoken with her about it during the trial.

He said that DeMartin, despite an earlier suggestion that he did not remember the arrest, had asked her for details about it several times during the trial.

Kris Copeland, a West Palm Beach resident and one of the jurors who convicted Goodman, said before the ruling was issued that the deliberations were fair and impartial and that the decision should stand.

Last month, an appeals court ruled that Goodman's conviction should be sent back to Colbath for review after defense attorneys alleged that DeMartin had intentionally withheld the information about the arrest during jury selection.

Goodman was sentenced to 16 years in prison and has been on house arrest pending an appeal of his conviction since last year.

Scott Smith, an attorney for William Wilson, Scott Wilson's father, said Wilson was disappointed with the decision.

"Mr. Wilson is disappointed that the conviction and sentence for the man who took Scott away from him, his family and his friends has been overturned due to the issues surrounding the individual juror, but he is more committed than ever to the State of Florida's pursuit of justice and prosecution of the person responsible for Scott's preventable and premature death," Smith said in a statement. "As with the prior trial, Mr. Wilson will be at the subsequent trial in honor of his son and in support of those who continue to pursue this matter on behalf of the State of Florida."

Ellen Roberts, the Assistant State Attorney who prosecuted Goodman and retired after the trial, told said that she would consider prosecuting the retrial if Palm Beach County State Attorney Dave Aronberg and the Wilson family agreed to it.

DeMartin has been summoned to appear before Colbath on May 30th to answer criminal contempt of court charges.

"While the Goodman family is encouraged by the judge's courageous decision today, they also remain deeply saddened by this tragedy and those memories rekindled for all involved by the last trial, the hearing and whatever lies ahead. By its action, the Court has affirmed the basic tenet that the law entitles all defendants to an impartial jury in an atmosphere and community where a fair trial can be conducted. That is all we have ever sought. "