

DECLARATON

I Mark Matthews declare as follows:

I was a juror on the case of the People v. Michael Goodwin GA052683 tried in Department "E" of the Pasadena Superior Court in 2006.

As the foreperson of the jury I want to state for the record that our verdict was based on the evidence and instructions presented to us and I stand by our decision. I offer the following insights in the spirit of truth and openness and I am in no way advocating for either party in these proceedings. I believe all of the jurors conducted themselves in a professional and conscientious manner at all times. I have written this declaration as a response to a series of questions posed to me by attorney Elena Saris, based on discussions we have had post-verdict, and reflect my truthful recollection of how the jury conducted its business in relation to those questions.

All of the jurors were convinced that Goodwin had made several threats against Mickey Thompson. Some witnesses who testified about these threats were deemed credible by the entire jury. Others were not. The threats that we felt were credible, combined with other evidence, pointed towards Goodwin's guilt. The evidence was clear that Goodwin did not personally kill the Thompsons. There was no evidence offered that showed a direct connection between the people who in fact killed Mickey and Trudy Thompson and Michael Goodwin. The judge's instructions regarding conspiracy allowed the jurors to skip this step and find Michael Goodwin guilty.

1 Personally, I was initially reluctant to vote for
2 conviction because I had heard no credible evidence
3 connecting Michael Goodwin to the actual killers, even
4 though most of the other evidence pointed towards guilt.
5 The conspiracy instruction allowed us to convict Goodwin
6 based on all of the other incriminating evidence because
7 we could infer from that evidence that Goodwin wanted
8 Thompson dead and could have hired the killers to commit
9 the crime even though no evidence of a connection between
10 the conspirators was presented. We asked "Was it
11 reasonable to believe that Goodwin could have been
12 responsible?" Once we answered that in the affirmative, we
13 felt we reconciled that lack of connection to the killers
14 by applying the instruction on conspiracy, which allowed
15 us to infer that connection.
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18 One exchange I remember in the deliberation room
19 while we were discussing the connection went like this:
20 I quoted the analogy the prosecutor used in his opening
21 statement: It's snowing and the kid in the kitchen is
22 threatening to go to the barn, etc. My contrasting
23 analogy was that you have Goodwin in the kitchen
24 threatening to go to the barn, you leave the room and when
25 you return Goodwin is gone, there are two sets of bike
26 tracks in the snow leading to the barn and two Black men
27 are standing out there. I could not make the prosecutor's
28 analogy work, and the Judge's instruction on conspiracy
29 made it so I didn't have to. The connection just wasn't
30 there, but it didn't need to be. I was hard pressed to
31 make any stand for my not guilty vote with that
32 instruction in place.
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1 The jury rejected the robbery theory because it
2 seemed that there was nothing so valuable that could have
3 been stolen that would make killers leave behind the
4 amount of jewelry and cash found at the crime scene. In
5 order to be thorough in its consideration of the robbery
6 versus murder theory, the jury was forced to speculate
7 what else could have been the "item of value" that was
8 presented in testimony. One juror even mentioned that it
9 might have been something large like an engine. Because
10 there was no clarification as to what the item could
11 possibly be, any "item of value" testimony didn't support
12 the robbery theory. We also considered and rejected the
13 idea that this crime was a random act of violence because
14 of the remoteness of the location of the crime.
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17 Once we determined that it was not a robbery, or
18 random act of violence, we had no evidence to consider
19 regarding anyone other than Michael Goodwin who would have
20 wanted to harm Mickey or Trudy Thompson. I asked, "If
21 not Goodwin then *who else* could have done this?" We were
22 presented with no evidence of other suspects.
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24 The jurors did not believe that Mickey was forced to
25 watch Trudy die as the only evidence that was offered to
26 support this theory was speculative at best and did not
27 point to Goodwin's guilt or innocence. I felt the
28 "Mickey was forced to watch" theory to be inflammatory and
29 in the end it was considered not provable and thus
30 inconsequential by all. I find it frustrating that the
31 prosecution was allowed to present this theory without the
32 scantest of evidence to prove it and then later to learn
33 that the defense was not allowed to present any evidence
34 of alternative theories regarding other suspected

1 perpetrators of this crime. This represents an imbalance
2 to me. While I realize there has to be limitations on the
3 amount of evidence presented in any proceeding, this jury
4 was more than capable of sorting through any type of
5 evidence efficiently and determining its credibility. Our
6 deliberations were methodical, thorough, and unemotional.
7 While I obviously cannot say for certain what effect this
8 would have had on the final verdict, if any, we should
9 have had the opportunity to view all the options, within
10 reason, and evaluate relevant evidence regarding potential
11 alternative suspects. It would have added quality and
12 depth to the final verdict, in my opinion.
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14 Regarding the statement of Nancy Wilkinson wherein
15 she stated Mickey Thompson said Goodwin could have a
16 sniper outside: The jurors openly discussed that this
17 statement was important in that it showed Thompson was in
18 fear and that Goodwin was the source of that fear.
19 Thompson had directly mentioned Goodwin and a sniper. This
20 was a statement of fear and specifically Thompson being
21 fearful Goodwin could possibly kill him and Trudy. While
22 it has been pointed out to me that this testimony had a
23 limited purpose, the jurors did not discuss any
24 instruction from the judge as far as the usage
25 restriction, which I believe was an inadvertent oversight,
26 and I am positive there was no nefarious intent on the
27 part of the jurors to ignore any of the judge's
28 instructions. I just recall that these comments were made
29 about Mickey's fear of Goodwin. Wilkinson was one of
30 fifteen witnesses who testified about threats. She was one
31 of several witnesses regarding the threats that we deemed
32 credible.
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1 We discussed during the deliberations the character
2 evidence that had been offered against Michael Goodwin.
3 The tone of the deliberation in this regard was that
4 Michael Goodwin lacked a "moral compass." The evidence
5 that was offered by certain witnesses clearly painted
6 Mickey Thompson as a good and honorable fellow and Michael
7 Goodwin as just the opposite. The bad character of
8 Michael Goodwin along with his ability to take everything
9 he did (including other criminal activity) to an extreme
10 level was very evident from the testimony of these
11 witnesses. The jurors went over all of this in the
12 deliberation room and we could not escape the reality
13 that, coupled with his overtly stated hatred of Mickey
14 Thompson, this guy was the kind of guy who was capable of
15 coordinating this event.
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19 I declare the above to be true and correct to the best of
20 my knowledge under penalty of perjury.

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22 Executed this 5th Day of February, 2007 in Los
23 Angeles, California.

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26 Declarant
27 Mark Matthews
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