



## **Man convicted of jury tampering with pamphlets loses appeal**

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A man who said he simply was exercising free-speech rights when distributing pamphlets outside a Michigan courthouse has lost an appeal of a jury-tampering conviction.

The state appeals court affirmed the misdemeanor conviction of Keith Wood in a 2-1 decision Tuesday.

Wood was outside the Mecosta County courthouse, north of Grand Rapids, in 2015, distributing pamphlets that told prospective jurors they could choose their conscience over the law when coming up with a verdict. He was accused of trying to influence a case involving a man who had a wetlands dispute with a state agency.

The wetlands case ended with a plea deal and didn't go to trial.

Wood argued that he couldn't be convicted of jury tampering because no jurors were selected in Andy Yoder's case. The appeals court turned aside that claim, as well as Wood's First Amendment argument. The American Civil Liberties Union and the libertarian Cato Institute filed briefs supporting him.

"We cannot overemphasize the importance of the jury's finding that (Wood) intended to influence two jurors summoned for Yoder's case. It is that specific level of intent that takes defendant's case out of the general pamphletting activities protected by the First Amendment," said judges Christopher Murray and Thomas Cameron.

The state, they said, "has a compelling interest in protecting the sanctity of the jury."

In dissent, Judge William Murphy said he would have overturned Wood's conviction. He said Jennifer Johnson and Theresa DeVries, who had contact with Wood outside the courthouse, didn't become jurors in the Yoder case.