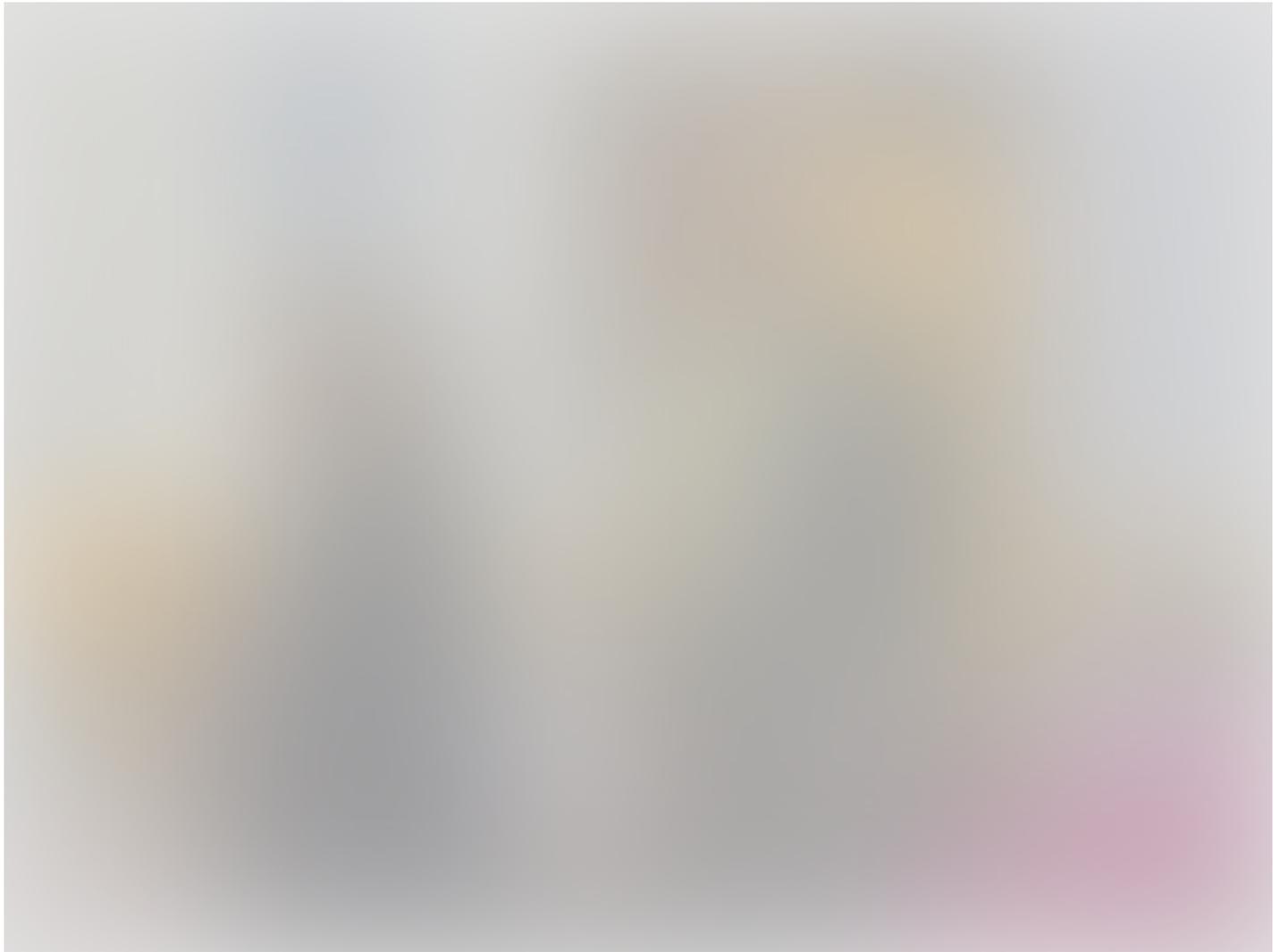


https://www.unionleader.com/news/courts/supreme-court-reverses-domestic-violence-convictions-against-former-state-sen-woodburn/article_479ac113-c608-5e53-b074-5f2cda140ef6.html

Supreme Court reverses domestic violence convictions against former state Sen. Woodburn

By Mark Hayward Union Leader Staff
Mar 23, 2023



WOODBURN

John Koziol/Union Leader Correspondent

The New Hampshire Supreme Court on Thursday overturned two domestic assault-related convictions against Jeff Woodburn, the former Democratic state senator from Whitefield.

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The high court said Woodburn should have been able to claim self-defense. The victim, a longtime girlfriend, had grabbed his cellphone and wouldn't let go as Woodburn, following an argument, tried to exit her car on a dirt road on a December night between Lancaster and Jefferson.

Woodburn wanted to call a friend to pick him up. After he bit the woman, she released her grip on his phone.

"Given the circumstances, it was too dangerous for him to leave the car without his phone," wrote Justice James Bassett, who was joined by Anna Barbara Hantz Marconi and Patrick Donovan.

The ruling faults trial judge Peter Bornstein for not allowing Woodburn's lawyer to raise the self-defense issue. Although Woodburn testified that without his phone he felt he would be confined to the car, Bornstein forbade a jury instruction on self-defense.

The domestic assault basically ended the political career of Woodburn, who had served as Senate minority leader for the Democrats and as state party chairman.

"The Supreme Court confirmed that I was unfairly treated and wrongly convicted," Woodburn said in a statement. "I know what happened in this relationship, my mistakes and that I defended myself and never abused anyone."

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THE SUPREME COURT OF NEW HAMPSHIRE

Coos
No. 2021-0360

THE STATE OF NEW HAMPSHIRE

v.

JEFFREY WOODBURN

Argued: October 18, 2022
Opinion Issued: March 23, 2023

John M. Formella, attorney general, and Anthony J. Galdieri, solicitor general (Joshua L. Speicher, assistant attorney general, on the brief and orally), for the State.

Jeffrey Woodburn, self-represented party, on the brief and orally.

BASSETT, J. The defendant, Jeffrey Woodburn, was convicted on one count of domestic violence, RSA 631:2-b, I(b) (2016), one count of simple assault, RSA 631:2-a, I(b) (2016), and two counts of criminal mischief, RSA 634:2, I, III (2016) (amended 2020), following a jury trial in the Superior Court (Bornstein, J.). On appeal, he has adequately developed challenges to only the

Woodburn, who is not a lawyer, noted that he argued the appeal himself before the Supreme Court. In a brief interview, he ruled out a return to politics. He now works as a bartender in Manchester.

The decision reversed convictions for simple assault and domestic violence. Attorney General John Formella could decide to retry Woodburn on the charges, but this time with Woodburn making the self-defense claim.

Deputy New Hampshire Attorney General James Boffetti said prosecutors are closely reviewing the decision before deciding their next move. He stressed that Woodburn will have to begin serving a jail term of at least 30 days for his conviction on two related charges.

In a statement, the New Hampshire Coalition Against Domestic and Sexual Violence blamed the decision on a technicality.

But other convictions still stand, said Amanda Grady Sexton, public affairs director of the coalition.

“He was convicted by a jury of his peers and by a jury who believed the survivor. This decision should not in any way discourage victims of domestic violence from coming forward and reporting abuse,” Sexton said.

Woodburn did not challenge his conviction on misdemeanor criminal mischief charges for damaging the woman’s dryer and screen door.

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