

Legal victory has big price tag

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Staff Reporter*

MILFORD – Justice can have its price, and for John J. McDonough, Jr., it was \$18,300 in legal costs plus lost business income.

That's what it cost him by the time the Pike County legal system found him innocent on Tuesday of burglary and criminal trespass charges lodged about 11 months ago.

It was McDonough's second trial in connection with an alleged burglary of a Dingman township residence. His first trial, held in September, ended in a hung jury.

But McDonough, 24, a horse trainer from Dingman Township who says he made \$85,000 in 1986, said he's been in jail since November and out of work since February.

"This year, I made nothing," he says.

A retrial was slated for November, but McDonough, who was out on \$25,000 bail, failed to appear. He turned himself in a few days later, and the Court raised bail to \$50,000.

He opted to spend the last two months in jail instead of incurring costs associated with the high bail.

Defending McDonough was A. Charles Peruto, Jr., of Philadelphia, a noted criminal defense lawyer who has defended notable reputed mob figures and has tried some 50 homicide cases, winning acquittal in about 30.

Peruto was McDonough's second choice. He says he went to Peruto upon the recommendation from one of his father's friends. He said the first lawyer he chose declined to defend him in a trial because he felt the commonwealth's case was strong.

Peruto cost McDonough \$15,000. The remaining \$3,500 in legal costs went to a bail bondsman and to his first attorney.

McDonough was arrested and charged by Pennsylvania State Police on February 9th. The day after his arrest, the owner of the stable where he kept his horses asked him to leave. He said the owner thought he was guilty.

He had to sell his 15 horses.

He said he was also barred from a local racetrack where he trained and rode horses.

Now that a jury has said he is innocent, he plans to start up his business again and, in an attempt to clear his name, plans to take out an ad in the racing program at the racetrack stating the court's finding.

Assistant District Attorney, Douglas J. Jacobs, who prosecuted the case, offered no comment beyond that he is disappointed with the jury's decision and feels that there was enough evidence to support a conviction. The evidence included two eyewitnesses, footprints purportedly leading to McDonough's doorstep, and a pair of wet dungarees in the bottom of a hamper.

McDonough says the witnesses gave unreliable testimony and the footprints were improperly investigated. "The only thing they had was a pair of dungarees, and who doesn't own a pair of dungarees?" he said.