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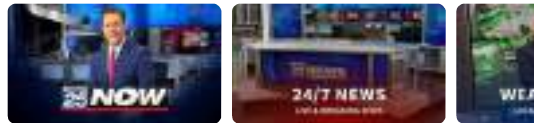
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'Unprecedented': Karen Read's team asks federal judge to allow questioning of jurors from 1st trial

By **Boston 25 News Staff**  
March 05, 2025 at 1:09 pm  
EST

## 'Unprecedented': Karen Read's team asks federal judge to allow questioning of jurors from 1st trial



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BOSTON — Karen Read's defense team argued in federal court Wednesday in favor of having jurors from her first trial be questioned about their verdicts on the three charges against her.

They want two of the three dropped.

Martin Weinberg spoke on behalf of Read's team.

He said there was no consideration for Read's double jeopardy interests in the first trial and being tried again on charges that she was acquitted on would violate her 5th Amendment rights.

"What is indisputable," said Weinberg, "It is virtually unprecedented when 4 jurors... Directly informed trial counsel that there was a mistake made and they found her not guilty on two of the counts."

The counts Weinberg is referring to are second-degree murder and leaving the scene of a fatal crash.

Read's defense wants a voir dire, a questioning of the jurors, ordered by the judge.

Weinberg said that with a voir dire, there is a likelihood that they would end up with proof that jurors thought they acquitted Read of two counts.

Judge Dennis Saylor questioned Weinberg about whether he was asking a federal court to examine what happened in a state court and the jury. "Is there precedent?" asked Judge Saylor.

Weinberg responded, "There is no precedent for that." He continued, "We're here in a bit of a legal wilderness."

Weinberg once again argued there was an acquittal, it wasn't announced, and Read is entitled to prove that there was that finding.

"There's nothing more important than the double jeopardy clause," said Weinberg.

Weinberg added there's no rule preventing Judge Saylor from hearing from the jurors.

Assistant District Attorney for Norfolk County Caleb Schillinger told the court that the jury sent three notes to Judge Cannone during the first trial.

He said the jury's notes about not being able to reach a verdict can't be ignored.

Schillinger added the third note made clear the jury was deadlocked on all 3 of the charges and Judge Cannone declared a mistrial.

"There was no inkling of an agreement," said Schillinger from their third and final note to the judge, and he said the inquiry the defense wants conducted goes to the deliberation itself, where jurors may have different memories of what happened.

Schillinger also said there were no acquittals and no reason to make further inquiry.

Judge Saylor questioned his powers from the bench Wednesday morning.

He said what's troubling is whether he's stepping into the shoes of the state or telling them to do something, should he rule in favor of the voir dire.

Boston 25 News reporter Ryan Breslin asked attorney Weinberg if he's concerned that the judge won't side with Read since there's no precedent for Judge Saylor to rule in their favor.

No decisions were made Wednesday, but the judge said he will consider the arguments for both sides and make a ruling as soon as possible given the next trial starts on April 1.

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