

Karen Read takes double-jeopardy appeal to US Supreme Court

By [Tonya Alanez](#) Globe Staff, Updated April 3, 2025, 11:11 p.m.



Karen Read arrived at Norfolk Superior Court in Dedham on Tuesday for the start of her second trial for the death of her boyfriend, Boston Police Officer John O'Keefe. SUZANNE KREITER/GLOBE STAFF

[Karen Read has taken her bid to have a charge of second degree murder](#) and one other charge against her thrown out on double jeopardy grounds to the nation's highest court, according to a copy of the legal filing.

Read's [latest appeal to dismiss two of three charges against her](#) was filed with the US Supreme Court in Washington D.C. Read's lawyers are seeking the two charges to be thrown out, because jurors individually after the trial said they unanimously wanted to acquit her of those charges, despite the declaration of a mistrial.

“In sum, the defense learned post-trial that the jury reached a verdict that was not announced,” the 25-page petition said. “It was at least entitled to the opportunity to substantiate that fact in order to ensure Read is not unconstitutionally forced to stand trial for criminal offenses, including murder, of which she has already been acquitted.”

Read's lawyer, **Martin Weinberg**, declined to comment Thursday night due to the trial judge's order restricting lawyers from making statements about the case. The appeal was filed with the Supreme Court on Tuesday, according to [online court records](#).

“Read contends that the Double Jeopardy Clause's guarantee against successive prosecutions is no less fundamental than ... the Sixth Amendment right to an impartial jury and no less deserving of protection,” the petition said.

Read, 45, of Mansfield, already has lost appeals with the state trial court, the Massachusetts Supreme Judicial Court, and lower federal courts. Most recently, a [federal appeals court last week](#) opted not to delay the start of Read's second trial.

[Jury selection began Tuesday in Read's retrial](#) in Norfolk Superior Court. Read is accused of killing her boyfriend, Boston Police officer John O'Keefe, outside a Canton home after a night of heavy drinking in 2022.

[Read](#) has pleaded not guilty to charges of second-degree murder, manslaughter while OUI, and leaving the scene of a crash resulting in death.

The first trial lasted two months. After 30 hours of deliberations and a series of three notes from the jury to Judge Beverly J. Cannone saying they were at a hopeless impasse, the judge [declared a mistrial](#).

In the weeks that followed, jurors came forward, telling Read’s defense team they actually had agreed to acquit Read on two charges, murder and leaving the scene of a crash, and only remained split on a manslaughter charge.

Read has since sought to have her state murder charge and the leaving-the-scene charge thrown out on double jeopardy grounds, arguing that Cannone improperly declared the mistrial and jurors actually had acquitted Read of the two counts.

Thursday’s legal filing mirrored those same arguments and pushed for permission to question the jurors about their verdict.

“Such inquiry in no way intrudes on the deliberative process of the jury,” Read’s lawyers wrote. “Such an inquiry instead honors the jury service which the trial court described as ‘extraordinary’ rather than rendering irrelevant the efforts of at least four jurors to disclose that there was not an impasse on all three counts, as contrasted to only one count.”

Tonya Alanez can be reached at tonya.alanez@globe.com. Follow her [@talanez](https://twitter.com/talanez).

[Show comments](#)