



CRIME

How will Karen Read's trial end? Here's what legal experts had to say.

As jury deliberations begin in Karen Read's murder trial, several legal experts offered their takeaways and predictions in the sensational case.



Karen Read, center, arrives at Norfolk Superior Court with her father, William Read, left, Tuesday, June 25, 2024, in Dedham. *Steven Senne / AP*

By **Abby Patkin**

updated on June 26, 2024

It's a key question in the case that has launched a thousand theories: Will **Karen Read** walk free, or will she end up behind bars?

It's all up to jurors now.

Deliberations began Tuesday after the prosecution and defense offered up their **closing arguments**. And following more than eight weeks of witness testimony, jurors are left with **heated voicemails**, **crude texts**, a broken taillight, and two vastly different theories of what happened to Boston Police Officer John O'Keefe.

On the one hand, there's the state's argument that Read drunkenly and intentionally backed her SUV into O'Keefe — her boyfriend of two years — one snowy morning in Canton. Prosecutors allege the couple's deteriorating relationship and Read's jealousy drove her to kill as she dropped O'Keefe off at a house party sometime after midnight on Jan. 29, 2022.

MORE ON KAREN READ:



Jury deliberations are coming up in Karen Read's murder trial. These are the possible outcomes.

A 'tall blue wall' or a 'three-card monte' trick? Karen Read's case in jury's hands after closing arguments.

Watch: Closing arguments in Karen Read's murder trial

Read's lawyers have another theory: That O'Keefe walked into 34 Fairview Road that morning and was viciously beaten, attacked by the homeowners' dog, and left to die in a blizzard. They say Read was framed in a conspiracy meant to protect a well-connected local family, and that law enforcement officials were in on the coverup.

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Though the jury's verdict remains undecided, several legal experts who spoke with Boston.com ahead of closing arguments agreed: For better or for worse, Read's trial has left a lasting impression.

"The entire case is unusual from my perspective — John O'Keefe is not the typical victim and Karen Read is not the typical defendant," attorney **Katherine Loftus** said in an email interview. She pointed specifically to Read's unprecedented media campaign and accusations of a coverup and "lazy police work."

"It is truly a story that would not be believed if it was written as fiction," Loftus added. "I expect that this trial will cause divisions and arguments amongst friends and families for many years to come."

Legal experts' takeaways on the trial

Daniel Medwed, a criminal law professor at Northeastern University, noted the growing public fascination in Read's case.

"It seems to have morphed from largely a local story to one with national reverberations," he said in an email interview. "I think the unique ingredients of the case — the death of a police officer, claims of a vast law enforcement cover-up, the prospect of a woman on trial, and the ample forensic and technological evidence — has created an enticing stew that almost everyone wants to consume."

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Read's lawyers, he added, were impressive in their effective cross-examination of prosecution witnesses. Loftus likewise praised the defense for their "excellent job of attacking each witness and each piece of evidence." She pointed to an old law school adage, "a brick is not a wall," and said prosecutors have an uphill battle to keep their proverbial "wall" from crumbling.

One notable example of this came during the testimony of the lead Massachusetts State Police investigator, Trooper Michael Proctor, who admitted he "dehumanized" Read in **vulgar texts** sent to friends, family, and colleagues.



Massachusetts State Police Trooper Michael Proctor took the stand during the Karen Read trial at Norfolk Superior Court. – *Kayla Bartkowski for The Boston Globe*

Rosanna Cavallaro, a professor of criminal law and evidence at Suffolk University Law School, said those texts — where Proctor called Read a "wack job c**t" and made light of her Crohn's disease — "really significantly compromised" his testimony.

While prosecutors attempted to cushion the blow by introducing Proctor's texts before the defense could, "the nature of the comments was so stark and I think surprising to the average juror that an investigator at a murder scene or a possible murder scene

would be behaving in that way, or making comments that had that tone to them,” Cavallaro noted.

What evidence will matter most to jurors?

Cavallaro said she was also struck by the dispute over the timestamp for witness Jennifer McCabe’s **“hos long to die in cold”** Google search.

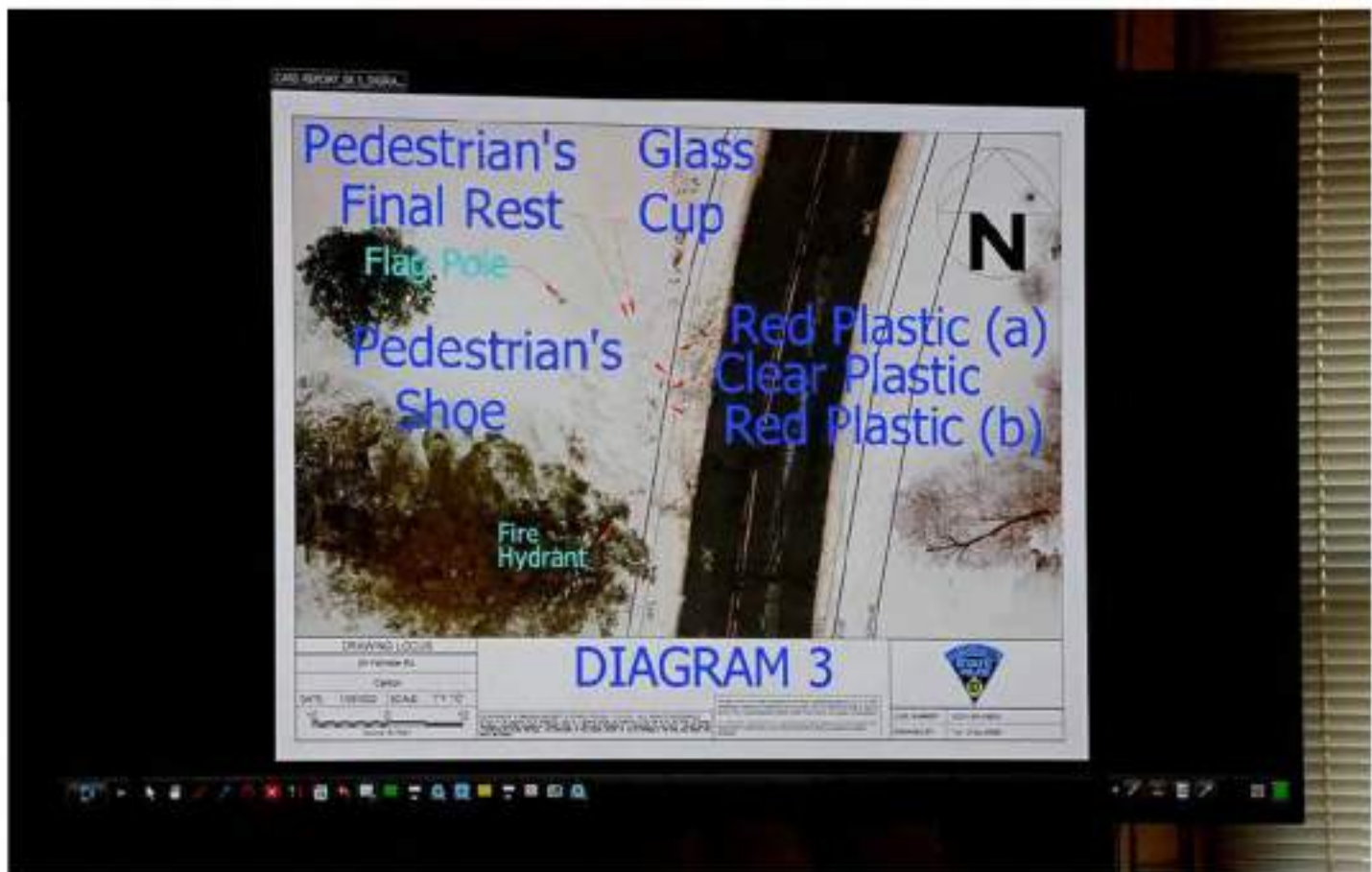
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McCabe told jurors she made the search at Read’s insistence shortly after the women found O’Keefe’s body around 6 a.m. on Jan. 29, 2022. Two digital forensics experts, Jessica Hyde and Ian Whiffin, testified that McCabe’s phone data puts the “hos long” search at 6:24 a.m.

But a defense expert, Richard Green, testified that McCabe made the search “at or before” 2:27 a.m. that day. Hyde and Whiffin both said the earlier timestamp actually indicates when McCabe first opened the browser tab.

“The average juror doesn’t have any insight of their own,” Cavallaro said. “The whole basis for expert testimony is that it’s a subject matter that’s beyond the average juror. That the average juror has to say, ‘OK, which of these experts seems to me to know what they’re doing?’”

Medwed, meanwhile, speculated the crash data and geolocation evidence might weigh heavily on jury deliberations, “both in terms of the defendant’s location at precise times and the ability of the technology to place Officer O’Keefe in specific locations.”



A projected diagram shown to jurors indicates the location of John O'Keefe's body, a shoe, a cup, and pieces of plastic outside 34 Fairview Road in Canton. – Pat Greenhouse/Boston Globe Staff

And **Martin G. Weinberg**, a prominent Boston-based criminal defense attorney, pointed back to Proctor's texts.

"Jurors mirror the public," he noted in an email interview. Some, he said, will be so offended by the messages "that they will find it very hard to trust that the remainder of the case was insulated from the bias and disrespect shown by the State Police lead investigator."

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Weinberg drew similarities to the O.J. Simpson murder trial, where jurors balked at Los Angeles Police Det. Mark Fuhrman's "highly offensive racial bias."

"Other jurors will instead predictably focus on the multiple forensic experts that ADA [Adam] Lally pivoted his case around with apparent skill and precision," Weinberg

predicted. “How each side presents its arguments, first the lawyers in court and then the jurors in the sacred secrecy of jury deliberations, will determine the outcome.”

How will Karen Read’s trial end?

Either way, Weinberg noted, “I doubt a fast verdict.”

According to Loftus, the length of the trial plays into the decision-making process.

“In addition to that, the case has become a lightning rod in the greater community, and it is hard to imagine that the same is not happening in the jury room,” Loftus said. “I anticipate we will know rather quickly whether they are struggling to come to a unanimous verdict — either they return swiftly, or alternatively, if the verdict takes longer, it often is an indication that the jurors cannot agree.”

The upcoming Fourth of July holiday may also mean jurors are antsy to reach a decision sooner than later, she noted.

Still, the jury’s ultimate decision is anyone’s guess.

Medwed, who weighed in before the defense rested its case, said one possibility is a split or “compromise” verdict where Read is convicted on some charges but acquitted on others. Read has pleaded not guilty to charges of second-degree murder, motor vehicle manslaughter while driving under the influence, and leaving the scene of a collision causing injury and death.

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“I would be mildly surprised if she’s convicted on all charges given the holes in the case, but I may be wrong,” Medwed added.

There’s no possibility that Read will be convicted of second-degree murder at this point, Loftus opined. While she acknowledged there’s a “small chance” Read could be found guilty of the manslaughter charge, she said this outcome is also unlikely.



Pink-clad pro-Karen Read demonstrators gather outside Norfolk Superior Court in Dedham every day. They tend to sit around this pickup truck with a speaker and listen to the trial. – *David L. Ryan/Boston Globe Staff*

Given the circumstances, Cavallaro said it seems doubtful all 12 jurors will think the prosecution's case is airtight.

“There's been a bit of a side show with people outside of the criminal process taking a kind of extraordinary interest in it and drumming up controversy,” she said of Read's case. “But at the end of the day, I think there's a group of 12 people in there that are paying careful attention and that are going to be able to figure out whether or not ... the state has met the very high burden that they're required to meet.”

What next?

Read's next steps will depend on the verdict she receives. She could file an appeal in the event of a conviction, and Loftus noted that the defense team's allegations of police misconduct may be key.

“Given that there have been no substantiated findings as of yet against any of the involved police witnesses, it would likely be an uphill battle,” she acknowledged.

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However, if any charges or findings result from the State Police **internal affairs investigation** into Proctor or the **federal probe** of the case, “it likely sparks at least an inquiry into the basis for an appeal at a later date,” Loftus said.

A trickier question is whether prosecutors would retry Read’s case if a hung jury results in a mistrial. While Loftus suggested prosecutors would “most certainly take the ‘second bite at the apple,’” Medwed was more doubtful.

“Retrials are notoriously difficult even in a run of the mill case because the passage of time makes the evidence less fresh and memories less reliable,” he said. “And this case is far from run of the mill. If new evidence emerges, though, that could change things.”



John O'Keefe's brother, Paul O'Keefe, right, and sister-in-law, Erin O'Keefe, center, listen to retired forensic pathologist Dr. Frank Sheridan's testimony, Monday, June 24, 2024. *Pat Greenhouse/Boston Globe Staff*

Regardless of the trial's outcome, Weinberg said the "skilled lawyering" from Read's attorneys "has hopefully had a positive effect even beyond this single trial."

He pointed to law enforcement officers' "solemn obligation" to follow best police practices and avoid stigmatizing a defendant, adding, "The burden of being accused as Ms. Read has of a profoundly serious offense requires no less."

Loftus, meanwhile, described the trial as a "fascinating" window into the division pervasive in the U.S. today.

"Similar to the desire to pick a 'team' in our current political environment, so is the desire to fight for Karen Read's guilt or innocence, seemingly with no ability to waiver in between," she said. "I expect that the fervor will eventually dissipate, but it is going to take some time before it completely subsides (if ever)."

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