

254

NORFOLK, SS.

SUPERIOR COURT DEPARTMENT  
NORFOLK SUPERIOR COURT  
DOCKET NO. 2282CR0117

COMMONWEALTH

v.

KAREN READ

RECEIVED & FILED  
2021 MAR 25 PM 3:33  
CLERK OF THE COURT  
NORFOLK COUNTY

---

**COMMONWEALTH'S MOTION FOR BUFFER ZONE SURROUNDING NORFOLK  
SUPERIOR COURT AND REQUEST FOR ORDER PROHIBITING SIGNS OR  
CLOTHING IN FAVOR OF EITHER PARTY OR LAW ENFORCEMENT**

---

The Commonwealth respectfully moves that this Honorable Court establish a buffer zone around the Norfolk County Superior Courthouse in Dedham, Massachusetts during the trial in this case. This case has been the subject of substantial media coverage. There have been demonstrations on the sidewalks in front of the courthouse, on the courthouse stairs, on the stairs and sidewalks in front of the Registry of Deeds, and instances of individuals confronting and following potential trial witnesses to and from their vehicles for appearances at court proceedings. During these demonstrations, individuals often carry "Free Karen Read" signs or posters with their interpretation of the evidence. Individuals have also amplified their voices with bullhorns to yell at potential witnesses or promote their theory of the case. The demonstrations also feature individuals and animals wearing "Free Karen Read" or similarly messaged clothing.

There is a substantial risk to both the defendant and Commonwealth's rights to a fair trial that would be jeopardized if prospective jurors are exposed to the messages contained in the demonstrations, especially before this Court has had the opportunity to instruct trial jurors about their obligations to remain fair and unbiased. Further picketing and demonstrating at the courthouse during the pendency of the case would expose jurors to extraneous matter that could

prejudice both parties. See Commonwealth v. Lowder, 432 Mass. 92, 102 (2000) (“The Commonwealth, as well as a criminal defendant, has the right to a fair trial.”); Commonwealth v. Steward, 396 Mass. 76, 79 (1985) (Affording the prosecution “one full and fair opportunity” to present its evidence at trial serves the public interest).

General Law chapter 268, § 13A (picketing court, judge, juror, witness or court officer) provides:

Whoever, with the intent of interfering with, obstructing, or impeding the administration of justice, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty, pickets or parades in or near a building housing a court of the commonwealth, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, shall be punished by a fine of not more than five thousand dollars or by imprisonment for not more than one year, or both.

Nothing in this section shall interfere with or prevent the exercise by any court of the commonwealth of its power to punish for contempt.

The Commonwealth requests prominent posting of G.L. c. 268, § 13A in and around the courthouse immediately before April 16, 2024 and during the pendency of this trial to notify any persons planning to picket, parade, or attempt to influence jurors, or otherwise impede, interfere, or obstruct the administration of justice have actual notice of the possibility of prosecution for such actions.<sup>1</sup> Further, the Commonwealth requests an order prohibiting any individual from demonstrating in any manner, including carrying signs or posters, or making statements about the

---

<sup>1</sup> Anyone who contacts jurors with the intention of exposing the juror to extraneous information or opinions about this prosecution could potentially be prosecuted pursuant to G.L. C. 268, § 13B (“Whoever, directly or indirectly, willfully . . . ,misleads, intimidates or harasses another person who is . . . a juror [or] a person who is or was attending or has made known his intention to attend a civil or criminal proceeding, including . . . trial . . . with the intent to impede, disrupt, delay, harm, punish or otherwise interfere thereby, or do so with reckless disregard, with such a proceeding shall be punished . . . ”)

defendant, law enforcement, the Norfolk District Attorney's Office, potential witnesses, or the evidence, within 500 feet of the Norfolk Superior Court complex, which includes the parking area behind the Registry of Deeds building, during the trial of this case. See attached map with proposed 500' buffer.

The Commonwealth also moves for an order prohibiting anywhere where prospective jurors gather or walk to the courtroom, the wearing or carrying of papers, water bottles, tote bags, signs, buttons, pins, t-shirts, sweatshirts, hats, or any other attire or item that contains any images or writing that suggests a favorable or unfavorable opinion of either party. Information regarding opinions that members of the public have about this case are irrelevant and may be prejudicial to the Commonwealth and/or defendant.

Further, the Commonwealth requests that this Court expressly prohibit any individual in the courthouse from wearing any buttons, shirts, or insignia related to the defendant, the victim, or law enforcement; including a prohibition on law enforcement officers who are testifying or are members of the audience, from wearing their department issued uniforms or any police emblems.

To the extent that the court requires assistance or a specifically articulated mechanism to enforce the proposed buffer zone, the Commonwealth proposes that the court could request assistance from the Dedham Police and/or Massachusetts State Police, both who have been previously deployed to maintain security and safety during prior court proceedings.

Respectfully Submitted,

For the Commonwealth


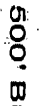
Michael W. Morrissey  
District Attorney

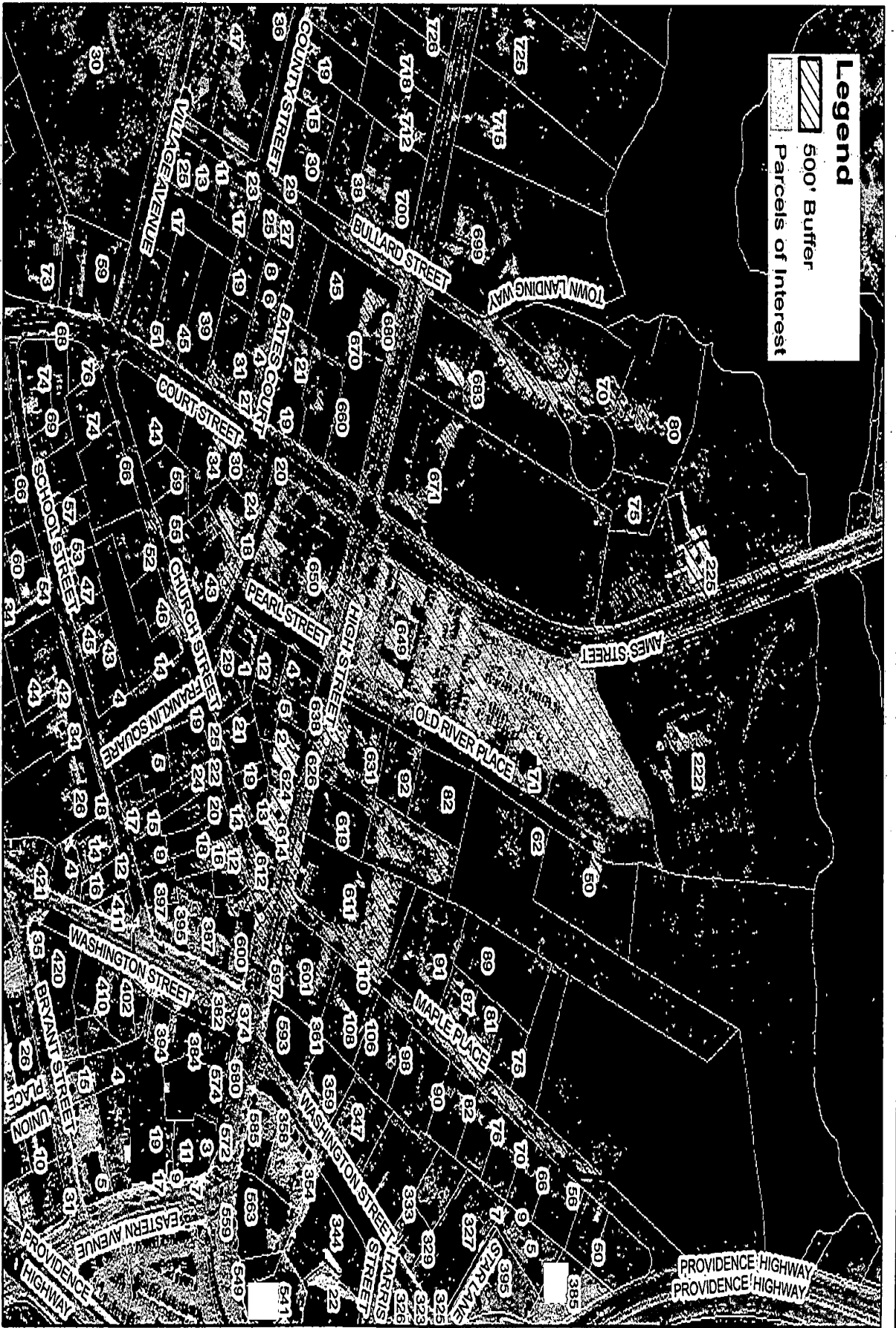
By:

\_\_\_\_\_  
Adam C. Lally  
Assistant District Attorney



**Legend**

-  500' Buffer
-  Parcels of Interest



**650 HIGH STREET & ASSOCIATED PARKING  
500' BUFFER**

**TOWN OF DEDHAM, MASSACHUSETTS**

