

NORFOLK, SS.

SUPERIOR COURT DEPARTMENT
NORFOLK SUPERIOR COURT
DOCKET NO. 2282CR00117

COMMONWEALTH

v.

KAREN READ

COMMONWEALTH'S MOTION FOR RECORDS FROM VERIZON WIRELESS

Now comes the Commonwealth and respectfully requests this Honorable Court, pursuant to Mass. R. Crim. P. 17 and Commonwealth v. Lampron, 441 Mass. 265 (2004), issue a court order to:

Verizon Security Assistant Team (VSAT)
Attn: Keep of Records
180 Washington Valley Road
Bedminster, NJ 07921

Ordering the Keeper of the Records of Verizon Wireless to produce to the Criminal Clerk's Office of the Norfolk Superior Court: (1) subscriber information associated with the Verizon phone number (XXX) XXX-XXXX from December 30, 2021 – January 30, 2022, belonging to William Read of Dighton, MA; (2) Records for all Verizon transactions, including all call records, call detail records, SMS text and MMS records, and all data use records associated with Verizon phone number (XXX) XXX-XXXX belonging to William Read of Dighton, MA, for the time period of January 29, 2002 – January 30, 2002; (3) Records for all call records and call detail records for the period of December 30, 2021 – January 30, 2022.

In support of its motion, the Commonwealth states the following:

1. On June 9, 2022, the defendant was indicted by a Norfolk grand jury for second degree murder, in violation of G. L. c. 265, §1; manslaughter while operating under the influence, in violation of G. L. c. 265, §13 ½; and leaving the scene of personal injury/death in violation, of G. L. c. 90, §24 (2)(a ½)(2).
2. On January 29, 2022, the Commonwealth alleges that the defendant struck the defendant with her car and caused his death. The defendant returned to the victim's home after striking the victim with her vehicle and leaving him incapacitated in blizzard conditions. Through the evening and morning of the victim's death, the defendant made numerous calls to various people providing varying and sometimes conflicting statements about the whereabouts of the victim. The defendant's phone call records identify calls to both William Read and Janet Read and texting between William Read and Karen Read.
3. The Commonwealth intends on calling William Read as a witness to testify to the various admissions made by the defendant to him. Specifically, in the Boston 25 News aired segment, reporter Ted Daniel asks William Read "During your first discussion with Karen did she believe she may have hit John?" William Read responded "No. No. She felt she struck something – she said Dad I think I struck something. I said what do you mean? Right. This was in the hospital, right. She says I remember, all right, backing up and hitting something."
4. Contrary to that account, the defendant's first discussion with William Read was not when she was in the hospital, rather, the first conversation occurred before the defendant was transported from the crime scene.¹ William Read and the defendant conducted their

¹ The defendant's phone records also detail her outgoing unanswered phone calls to her mother's phone at 1:14:19 a.m., 4:38:25 a.m., and 4:42:22 a.m. All three unanswered calls occurred before the defendant left John O'Keefe's and before John O'Keefe was found.

first call at 6:32:15 a.m. which lasted 3 minutes and 51 seconds. Medical records note that Karen Read was admitted to the hospital at 7:26:00 a.m. An ambulance report notes that responders were dispatched to the scene of the crime to attend to Karen Read at 7:21:51 a.m.

5. The Commonwealth seeks the phone records of William Read by three separate requests. (1) subscriber information associated with the Verizon phone number (XXX) XXX-XXXX, belonging to William Read of Dighton, MA. (2) Records for all Verizon transactions, including all call records, call detail records, SMS text and MMS records, and all data use records associated with Verizon phone numbers (XXX) XXX-XXXX belonging to William Read of Dighton, MA, for the time period of January 29, 2002 – January 30, 2002; These records are limited to the immediate time and aftermath of the alleged crime and document the relevant interactions between the parties. The Commonwealth intends to call William Read as a witness at trial. His phone records are expected to be introduced substantively to prove the defendant's phone calls to him in the time preceding her alleged striking of the victim. Also, William Read's phone records must be made available to use as potential impeachment evidence depending on the testimony. (3) Finally, the Commonwealth requests all call records and call detail records for the period of December 30, 2021 – January 30, 2022. Notably, the time scope of this request is broader and extends beyond the evening of the alleged criminal activity, however, the content of the request is much narrower and strictly limited to what is relevant. This limited request is made to best protect William Read's privacy rights particularly as to his SMS text and MMS records and data use for the time before the alleged crime. The relevance of this request is to compare the timing and frequency of

Karen Read's calls to her father on the night of the victim's death as compared to the frequency, or lack thereof, on dates not involving this alleged crime.

6. It is possible that William Read may be an adverse witness to the Commonwealth. A review of William Read's media statements, statements and conduct at court hearings, and other public engagements relative to this case, show that William Read is hostile to the Commonwealth's position regarding his daughter. The records are reasonably likely to establish a lack of pattern or common occurrence between the defendant, a forty-four-year-old woman, regularly calling her parents in the middle of the night after consuming large quantities of alcohol and engaging in a domestic dispute with her boyfriend. The records, while likely only relevant for impeachment, if necessary, would be unattainable during trial or would cause a significant delay in trial and prudent preparation requires acquisition of the records prior to trial.
7. The records are not otherwise procurable reasonably in advance of trial as they are not held in the care, custody, or control of the Commonwealth or the defendant, and the entity will not produce the records without a court order. The Commonwealth cannot properly prepare for trial without such production and inspection in advance of trial, and the failure to obtain such inspection may tend unreasonably to delay the trial.
8. An affidavit in support of this motion is attached. For the above-stated reasons, this motion should be allowed.

Respectfully Submitted
For the Commonwealth,

By: /s/ Hank Brennan

Date: 10/18/2024

Hank Brennan
Specially Appointed Assistant District Attorney