

Hinshaw's David S. Weinstein Discusses George Floyd Murder Trial with Law360 and AP

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Hinshaw attorney David S. Weinstein, a Miami-based partner and former federal prosecutor, was quoted extensively in *Law360* regarding the upcoming trial of former Minneapolis police officer Derek Chauvin, who is facing murder charges for the killing of George Floyd. Weinstein also talked to Shelley Adler of the *Associated Press* for a wire story on the upcoming trial.

Weinstein discussed some of the challenges this case has had to contend with. One of the issues he discussed was the impact of the COVID-19 pandemic on jury selection:

“In most cases throughout the country, the defense is filing motions to continue because, quite frankly, your venire is going to be very small because of the pandemic. And by excluding people who are unwilling to come into a public setting even where you’re trying to maintain social distancing, you’re not really finding a jury of your peers.”

Weinstein also noted that holding a trial during the pandemic can also mean lawyers miss out on facial cues they rely on in the courtroom, making it harder to read jurors’ reactions to testimony when their mouths are covered by masks. Equally, it will be difficult for jurors to scrutinize the testimony of witnesses from a greater distance and behind plastic partitions.

Weinstein also discussed the impact that a verdict will have on the follow up trial of the three other police officer on the scene when Floyd was killed. He said that no matter the result in Chauvin’s trial, the other defendants will get “a free preview” of the case against them:

“They’ll have an opportunity to shape their defense upon the testimony they know is going to come in. And it makes it a little bit harder to point the finger at [Chauvin]. To some degree, they’ll still be able to do it, but he won’t be sitting there.”

Finally, Weinstein considered how public attention could impact trial proceedings. While a judge usually can be expected to rule on objections rapidly, “when you know virtually every eyeball in the world could be upon you, you’re going to perhaps not be as quick [in issuing a ruling].”

[Read the full article](#) (subscription may be required)

“Virus, Protests and Appeals Could Shape Floyd Murder Trial” was published by *Law360*, March 5, 2020.

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