



## News

### David S. Weinstein Discusses Unique Aspects of Defending Alleged Cartel Member Defendants

September 3, 2020

Hinshaw's David S. Weinstein, a Miami-based partner and former federal prosecutor, was quoted in a *Daily Business Review* article titled "Razor Blades and Hit Men: Meet Miami Lawyers Who Have Defended and Represented Alleged Cartel Members." The piece addresses some of the unique aspects of being a prosecutor or criminal defense attorney when the defendant is an alleged drug cartel member.

One scenario discussed in the article is that in which the defendant (or persons associated with him or her) seeks to have harm done to the prosecutor. As noted in the article, "though [Weinstein has] convicted members of violent drug gangs and has seen colleagues placed in 'witness protection-type situations,' he also says he never felt he was in danger."

Weinstein also comments on the adjustment that these defendants go through "from giving orders to taking legal advice." He explains, "They're used to being able to manipulate things the way they say they need to be. . . . They're used to conducting business transactions where they set the terms, and this is what the results are, and they don't quite understand that once they're an indicted defendant, and very often they're a guest of the government at the government's hotel, things are not like they used to be."

On the issue of ethical violations that these defendants may seek to have their defense attorney engage in, Weinstein explains, "[c]riminal defense attorneys who have ethics are not giving advice to their clients on the operation of their criminal conspiracies because that makes them a co-conspirator." He adds, "[w]e all value our ticket to practice law and we're aware of our ethical obligations, and we're not going to give clients advice on how to skirt the law."

Weinstein also addresses the nature of the relationship that a defense attorney should have with an alleged drug cartel member client. He cautions, "The best way to avoid any slippery slopes . . . is to be blunt. I'm not going to be unfriendly with you, but I want you to understand that I'm your lawyer and I'm not a colleague or a friend of yours. . . . If you're uncomfortable with that then I'm not the right lawyer for the job."

[Read the full article on the \*Daily Business Review\* website](#) (*subscription may be required*)

#### Service Areas

Regulatory Investigations and Compliance Counseling

White Collar Defense & Internal Investigations

#### Offices

Miami



"Razor Blades and Hit Men: Meet Miami Lawyers Who Have Defended and Represented Alleged Cartel Members" was published by the *Daily Business Review* on August 7, 2020.