



August 31, 2016

By Email and U.S. Mail

The Honorable Justice Margot Botsford
Associate Justice
Supreme Judicial Court
John Adams Courthouse
One Pemberton Square, Suite 2500
Boston, MA 02108

Re: *Bridgeman v. Dist. Att’y for Suffolk County*, SJ-2014-0005

Dear Justice Botsford:

This letter responds to the letter from the District Attorney for Suffolk County stating that the Commonwealth intends to send notices to Dookhan defendants before the Full Court hears this case.

Petitioners and intervener continue to believe that, following this Court’s consideration of the issue, Dookhan defendants should be sent notices saying that their convictions have been vacated and that the underlying charges have been dismissed. Although we do not oppose the mailing of some sort of preliminary notice, the notice that has been shared with us will mislead and confuse its recipients, and ultimately deter them from challenging their wrongful convictions.

Among other significant deficiencies, the notice fails to mention that the rights of Dookhan defendants are the subject of pending litigation in this very case; it does not mention the presumption of misconduct to which these defendants are already entitled; it ominously pledges that any defendant whose conviction is vacated *will* have an active criminal case (as though the District Attorneys have already decided not to dismiss any case in that posture); and it is not competently translated into Spanish.

Beyond the substance of this preliminary notice, our recent affidavits have pointed to the likelihood that the District Attorneys’ May 2016 lists of Dookhan defendants are missing thousands of cases, 6/29/16 Colarusso Affidavit ¶ 17, and to the difficulties of transforming them into vendor-ready lists, 6/30/16 Villarreal Affidavit ¶¶ 13-

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17. Progress on these important issues could continue to be made while the Full Court considers the remedies that will ultimately be available to Dookhan defendants. If the Court deems further "working group" meetings appropriate, petitioners and interveners are willing to attend such meetings.

Please do not hesitate to contact us with any questions or concerns.

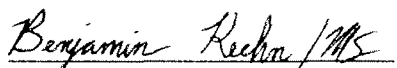
Sincerely,

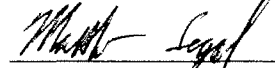
COMMITTEE FOR PUBLIC
COUNSEL SERVICES

KEVIN BRIDGEMAN, YASIR CREACH, and
MIGUEL CUEVAS,

by its Attorneys

by their Attorneys





Benjamin H. Keehn, BBO #542006

Matthew R. Segal, BBO #654489

Nancy J. Caplan, BBO #072750

Carlton E. Williams, BBO #600973

Committee for Public Counsel
Services

Adriana Lafaille, BBO #680210
American Civil Liberties Union

Public Defender Division

of Massachusetts

44 Bromfield Street

211 Congress Street

Boston, MA 02108

Boston, MA 02110

(617) 482-6212

(617) 482-3170

bkeehn@publiccounsel.net

msegal@aclum.org

cc: Assistant District Attorney Vincent J. DeMore, Esq.
Assistant District Attorney Quentin R. Weld, Esq.
Assistant District Attorney Robert Kidd, Esq.
Assistant District Attorney Brian S. Glenney, Esq.
Assistant District Attorney Robert J. Bender, Esq.
Assistant District Attorney Susanne M. O'Neil, Esq.
Assistant District Attorney Gail McKenna, Esq.
Assistant District Attorney Karen O'Sullivan, Esq.
Jean-Jacques Cabou, Esq.