



THE COMMONWEALTH OF MASSACHUSETTS
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September 1, 2016

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

Dear Justice Botsford,

This letter responds to your email of yesterday, August 31, regarding the mailing of notice to Dookhan defendants. We wish to inform the Court that we have finalized a contract with the vendor to complete the mailing, and that the physical mailing will be sent to defendants within the week.

The mailing will effectively complete the process which all parties cooperatively began in January of this year. The District Attorneys have collectively committed approximately \$30,000 out of their operating budgets to complete the notice process, which all parties agree is a purely executive function. In June, the petitioners and intervenors elected not to pursue a cooperative approach to notice, thereby resulting in the sacrifice of nearly \$70,000 from the FY16 operating budget of MDAA. The District Attorneys clearly stated our intent to send this notice in the affidavits filed on August 5, 2016. See 8/5/16 DeMore affidavit ¶ 51; 8/5/16 McKenna Affidavit ¶ 28; 8/5/16 Weld Affidavit ¶ 13. We also voiced our intent to complete the notice process at the last Single Justice hearing, on June 1, 2016, at which the Court announced it would report the case to the full bench. On that date, the District Attorneys agreed to send a copy of the notice letter to the Court, and we have done so.

As CPCS requested at the June 1 hearing, the letter is silent as to appointment of counsel and any role which CPCS may take in the litigation of these cases going forward. The letter does provide the notified defendants with all of the information they need to file a motion to challenge their conviction. As always, we will happily work with CPCS going forward to ensure a speedy and fair disposition of any motions defendants may file as a result of the notice mailing.

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

Sincerely,

The District Attorneys

by their Attorney



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