

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPREME JUDICIAL COURT
FOR SUFFOLK COUNTY
No. SJ-2014-0005

SUFFOLK SUPERIOR COURT
NO.SUCR2005-10537;
BOSTON MUNICIPAL COURT
NO.0501-CR-0142;
ESSEX SUPERIOR COURT
NO.ESCR2007-1535

KEVIN BRIDGEMAN & others¹

vs.

DISTRICT ATTORNEY FOR THE SUFFOLK DISTRICT & others²

ORDER

The court's opinion in Bridgeman v. District Attorney for the Suffolk District, 476 Mass. 298 (2017) (Bridgeman II), provides in effect that by May 18, 2017, a date that is 120 days after the issuance of the Bridgeman II opinion, the District Attorneys are to provide certain notices to relevant Dookhan defendants in accordance with phases one and two of the Bridgeman II protocol. 476 Mass. at 327-331. In light of the complexities involved in the process of preparing and sending the notices, and in recognition of the substantial efforts that

¹Yasir Creach and Miguel Cuevas; Committee for Public Counsel Services (CPCS), intervener.

²District Attorney for the Essex District, District Attorney for the Bristol District, District Attorney for the Cape and Islands District, District Attorney for the Middlesex District, District Attorney for the Norfolk District, and District Attorney for the Plymouth District.

have been and continue to be made by the District Attorneys and all other parties on the notice issues, it is hereby ORDERED that the notices are to be mailed to the relevant Dookhan defendants on or before June 6, 2017. See id. at 332 n.30 (authorizing single justice to revise parts of protocol).

Letter Two notices are to be delivered via the United States Postal Service and are to contain a letter from the single justice, in English and in Spanish, informing the recipient of his or her specific Dookhan-related convictions that have been dismissed with prejudice. A template for the Letter Two notice is included as Attachment A. Letter Three notices are to be delivered via United Parcel Service, signature required, and are to contain, in English and in Spanish: (1) a letter from the single justice identifying the recipient's Dookhan-related case(s); (2) a notice of rights that includes instructions on how the recipient, if indigent, may seek assignment of counsel in relation to those case(s); and (3) a legal guidance letter from the Committee for Public Counsel Services (CPCS). A template for the Letter Three notice is included as Attachment B.

The return address on both the Letter Two and the Letter Three notices is to be that of the Clerk for the Supreme Judicial Court for Suffolk County. The District Attorneys are to bear all costs associated with printing, mailing, and

delivering these notices. See Bridgeman II, 478 Mass. at 329-331.

To enhance the effectiveness of notice, see Bridgeman II, 478 Mass. at 329, and as agreed upon by the parties, it is FURTHER ORDERED that the American Civil Liberties Union of Massachusetts, as counsel for one or more of the plaintiffs, will contract for up to \$7500 of social media advertising that is to be posted beginning approximately one week prior to the expected date of mailing of the notices (June 6, 2017) and to remain posted until approximately one week after that date. The District Attorneys are to reimburse the plaintiffs' counsel for the cost of this advertising. Additionally, plaintiffs' counsel are to distribute the flyers to be printed by the court to selected community organizations and other groups with a capacity and willingness to reach affected defendants and provide notice to them.

By the Court,


Frank M. Gaziano
Associate Justice

Dated: June 1, 2017

ATTACHMENT A
(Letter Two Notice)



SUPREME JUDICIAL COURT

BOSTON, MASSACHUSETTS 02108

June 6, 2017

<<Name>>
 <<Addr1>>
 <<Addr2>>
 <<City>>, <<St>> <<Zip>>

Dear Mr./Ms. _____:

I am a judge on the Supreme Judicial Court, the highest court in Massachusetts. I am writing to inform you that **the court has dismissed certain conviction(s) against you**. The convictions that have been dismissed are identified on the attached page(s), listed by court, docket number, count, and charge description.

Why is the court dismissing these convictions?

A chemist named Annie Dookhan engaged in serious misconduct involving her work at a state drug lab. Your case was one of the cases affected by Ms. Dookhan. As a result, the District Attorney's Office decided to undo the conviction(s) listed on the attached page(s) and the court has permanently dismissed them. The legal term is to dismiss "with prejudice." This is final. It means that the government will never be able to pursue the same charges against you in this case.

What happens next?

You may have received a letter about your case in September. That letter said that you could go to court to challenge your conviction. **Now you do not have to take any action to challenge the conviction(s) listed on the attached page. They have been vacated and dismissed.**

Within approximately two to three months, your criminal record will be updated to remove the conviction(s). The removal of a conviction from your record may provide important benefits to you related to employment, housing, immigration, and more.

However, your record has not been sealed. You can find more information about sealing your record at www.masslegalhelp.org/cori.

Also, you may have other convictions in the same case that were not directly affected by Ms. Dookhan's misconduct. Any convictions not listed in the attachment will remain on your record.

If you have any questions about this letter, you may call the Dookhan Case Hotline run by the Committee for Public Counsel Services, the public defender agency in Massachusetts, at **888-999-2881**, or visit www.mass.gov/courts/druglab.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank M. Gaziano".

Frank M. Gaziano

Associate Justice of the Supreme Judicial Court



SUPREME JUDICIAL COURT

BOSTON, MASSACHUSETTS 02108

6 de junio de 2017

<<Name>>
 <<Addr1>>
 <<Addr2>>
 <<City>>, <<St>> <<Zip>>

Estimado(a) Sr./Srta./Sra. _____:

Soy juez(a) del Tribunal Supremo de Justicia de Massachusetts, que es el tribunal de mayor rango en el estado. Escribo para informarle que **el tribunal ha desestimado cierta(s) condena(s) en su contra (o sea, caso(s) en que declararon a usted culpable)**. La(s) condena(s) que se desestimó(aron) se identifica(n) en la(s) siguiente(s) página(s) anexa(s), enumerada(s) por tribunal, número(s) de expediente(s), cargo(s) y descripción del cargo.

¿Por qué el tribunal ha desestimado estas condenas?

La química Annie Dookhan cometió una falta grave de conducta profesional al realizar su trabajo en un laboratorio de drogas del estado. El caso de usted fue uno de los casos afectados por la Sra. Dookhan. Como resultado, la fiscalía de Distrito decidió anular la(s) condena(s) enumerada(s) en la(s) página(s) anexa(s) y el tribunal la(s) ha desestimado de manera permanente. El término legal es desestimar "con perjuicio". Esta es una decisión definitiva. Significa que el gobierno nunca podrá enjuiciarlo(a) de nuevo por los mismos cargos.

¿Qué sucederá ahora?

Puede haber recibido una carta sobre su caso en septiembre. En esa carta dice que usted podía acudir al tribunal para cuestionar su condena. **Ahora no tendrá que tomar ninguna acción para cuestionar la(s) condena(s) que se enumera(n) en la página anexa. Se ha(n) anulado y desestimado.**

En los próximos dos o tres meses, su historial penal (criminal record) será actualizado para eliminar esta(s) condena(s). La eliminación de una condena de su historial puede proporcionar beneficios importantes en cuanto a empleo, vivienda, inmigración, etc.

Sin embargo, su historial no ha sido sellado. Podrá encontrar más información sobre cómo sellar su historial en www.masslegalhelp.org/cori.

Además, puede que tenga otras condenas en el mismo caso que no se vieron directamente afectadas por la falta de conducta profesional de la Sra. Dookhan. Cualquier condena que no se enumera en la página anexa permanecerá en su historial.

Si tiene cualquier pregunta sobre esta carta, puede llamar a la línea de información sobre el caso Dookhan que es administrada por el Committee for Public Counsel Services (Comité de Servicios de Defensores Públicos), que es la agencia de defensores públicos de Massachusetts, al **888-999-2881**, o visitar la página **www.mass.gov/courts/druglab**.

Atentamente,

Frank M. Gaziano

Juez Asociado del Tribunal Supremo de Justicia de Massachusetts



SUPREME JUDICIAL COURT

BOSTON, MASSACHUSETTS 02108

Docket	Court	Charge Number	Charge Description
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Notice

English: This is an official court document. If you cannot read it in English, please visit www.mass.gov/courts/druglab for a translated version, or have it translated.

Aviso

Español: este es un documento oficial del tribunal. Se incluye la traducción en español. La traducción también se encuentra disponible en www.mass.gov/courts/druglab.

Aviso

Português: este é um documento jurídico oficial. Se você não souber ler inglês, mande traduzir, ou então acesse www.mass.gov/courts/druglab para ler uma tradução.

Avi

Kreyol Ayisyen: Sa a se dokiman ofisyèl tribinal la. Si'w pakab li'l an Kreyol, tanpri vizite www.mass.gov/courts/druglab pou yon kopi ki deja tradwi, oswa fè tradwi li.

Thông báo

Tiếng Việt: Đây là giấy tờ chính thức của tòa. Nếu bạn không thể đọc bằng tiếng Anh, vui lòng vào trang mạng www.mass.gov/courts/druglab để đọc bản dịch, hoặc nhờ người dịch sang tiếng Việt.

កំណត់សំគាល់

ខ្មែរ ៖ នេះគឺជាឯកសារផ្លូវការរបស់តុលាការ។ បើលោក-អ្នកមិនអាចអានភាសាអង់គ្លេសបាន មេត្តាទៅមើលនៅ www.mass.gov/courts/druglab ដើម្បីអានឯកសារជាភាសាខ្មែរ ឬអ្នកណាម្នាក់ជួយបកប្រែជូន។

إشعار

العربية: هذه وثيقة رسمية للمحكمة. إذا كنت لا تستطيع قراءتها بالإنجليزية، الرجاء زيارة موقع www.mass.gov/courts/druglab للحصول على نسخة مترجمة، أو دع شخص يترجمها لك.

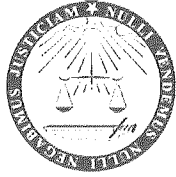
Уведомление

Русский: Это официальный судебный документ. Если Вы не можете прочитать его на английском языке, ознакомьтесь с переводом на сайте www.mass.gov/courts/druglab или переведите документ.

说明

英文：本文件是正式法院文件。如果您不懂英文，请前往网站www.mass.gov/courts/druglab寻找翻译版，或请人为您翻译。

ATTACHMENT B
(Letter Three Notice)



SUPREME JUDICIAL COURT

BOSTON, MASSACHUSETTS 02108

Notice: You may be able to remove a Dookhan drug conviction from your record.

Address
Address
Address

June 6, 2017

Dear _____:

I am a judge on the Supreme Judicial Court, the highest court in Massachusetts. The court has determined that you may have been wrongfully convicted of one or more drug crimes due to misconduct by chemist Annie Dookhan. Court records show that Ms. Dookhan tested some or all of the alleged drugs in the following case(s) in which you were convicted:

[- Insert cases -]

Because of Ms. Dookhan's misconduct, you have special rights to challenge these drug convictions and possibly remove them from your record. The court is concerned about the fairness of these convictions and wants to ensure that justice is done.

Removing a conviction from your record may provide important benefits to you related to employment, housing, immigration, and more. This packet from the court includes information about your legal rights and options, including a letter from the public defender for Massachusetts, called the Committee for Public Counsel Services.

You may have received a letter about your case in September, but that letter was not from the court.

If you have any questions, I encourage you to call the public defender hotline at **888-999-2881**, or go to **www.mass.gov/courts/druglab**.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank M. Gaziano".

Frank M. Gaziano

Associate Justice of the Supreme Judicial Court

In this packet:

- (1) Notice of Your Rights
- (2) Legal Guidance Letter from the Public Defender

Dookhan Case Hotline: 888-999-2881



SUPREME JUDICIAL COURT

BOSTON, MASSACHUSETTS 02108

Aviso: es posible que usted pueda eliminar de su historial (record) una condena por drogas afectada por el caso Dookhan.

Address
Address
Address

6 de junio de 2017

Estimado(a) Sr./Srta./Sra. _____:

Soy juez(a) del Tribunal Supremo de Justicia de Massachusetts, que es el tribunal de mayor rango en el estado. El tribunal determinó que es posible que usted resultó condenado(a) indebidamente por uno o más delitos de drogas debido a la falta de conducta profesional de la química Annie Dookhan. Los registros del tribunal demuestran que la señora Dookhan analizó algunas o todas las drogas en el(los) siguiente(s) caso(s) en que usted resultó condenado(a):

[- Insert cases]

Debido a la falta de conducta profesional de la señora Dookhan, usted cuenta con derechos especiales para cuestionar estas condenas por drogas y es posible que logre que se eliminen de su historial. Al tribunal le preocupa que estas condenas sean justas y quiere asegurarse de que se haga justicia.

La eliminación de una condena de su historial puede proporcionar beneficios importantes en cuanto al empleo, la vivienda y la inmigración, entre otros. Este paquete del tribunal incluye información sobre sus derechos y opciones legales junto con una carta de la agencia de defensores públicos de Massachusetts, denominada Committee for Public Counsel Services (Comité de Servicios de Defensores Públicos).

Puede haber recibido una carta sobre su caso en septiembre, pero esa carta no era del tribunal.

Si tiene preguntas, le recomiendo que llame a la línea especial de la agencia de defensores públicos al **888-999-2881** o vaya a la página **www.mass.gov/courts/druglab**.

Atentamente,

Frank M. Gaziano

Juez Asociado del Tribunal Supremo de Justicia de Massachusetts

En este paquete encontrará:

- (1) Aviso sobre sus derechos
- (2) Carta con consejos legales de la agencia de defensores públicos

Dookhan Case Hotline (Línea de información del caso Dookhan):
888-999-2881

Your Rights

1. You have the right to a lawyer.

You have the right to get advice from a lawyer about whether to challenge these convictions. If you choose to go to court, you have the right to have a lawyer represent you. If you cannot afford a lawyer, a lawyer will be appointed to advise and represent you for free.

2. You have the right to ask the court to undo your conviction.

You will not have to prove that Annie Dookhan mishandled the drug testing in your case. The judge will assume that she did. This is called a “conclusive presumption” that Ms. Dookhan committed serious misconduct in your case.

If you **pleaded guilty**, you have the right to withdraw your guilty plea. To do this, you have to show a “reasonable probability” that you would not have pleaded guilty if you had known about Ms. Dookhan’s misconduct.

If you **were convicted at trial**, you have the right to ask for a new trial. The judge will review your case. The judge will give you a new trial, unless the judge decides that Ms. Dookhan's drug analysis did not influence the jury or had only a very slight effect.

3. If you challenge your conviction and you win, you have the right to a new trial.

If you challenge your drug conviction, and that challenge is successful, a judge will undo or “vacate” your conviction. Once your conviction is vacated:

- The prosecutor cannot add any new charges or bring back any charges that were reduced or dismissed the first time.
- If you go to trial again, the only decision at trial will be whether you are guilty or not guilty. If you are found guilty, the court cannot add any more punishment on top of what you’ve already received. You cannot be sentenced to additional incarceration, probation, or fines.

Dookhan Case Hotline: 888-999-2881

Next Steps

It is up to you to decide whether you want to take any next steps.

- If you do nothing, the conviction(s) listed in the court's letter will stay on your record.
- You can talk to a lawyer to decide whether you want to challenge those convictions.

How to get a lawyer:

A. **If you cannot afford to hire a lawyer,** you have a right to have the court appoint a lawyer for you. Use any of the following methods to contact CPCS, the public defender agency in Massachusetts, to begin the process:

1. By phone: **888-999-2881**
2. Online: **www.publiccounsel.net/dlclu/intake**
3. By regular mail: Dookhan Case Intake
Drug Lab Crisis Litigation Unit
Committee for Public Counsel Services
7 Palmer St., Suite 302
Roxbury, MA 02119

B. **If your income is too high to qualify for an appointed lawyer,** you may hire a lawyer. If you do not already have a lawyer, you may be able to find one by contacting the Massachusetts Bar Association, the Boston Bar Association, or other bar association lawyer referral services.

No matter what your income is, you can call the Dookhan Case Hotline.

Questions? Call the hotline!

If you have questions about anything in this packet, or if you want to learn more about how to exercise your rights, call **888-999-2881**. The hotline is open Monday through Friday, from 9:30 a.m. to 5 p.m. It is 100% confidential, and is staffed by the public defender office, CPCS.

If you have submitted the enclosed forms to the court and have not heard back from a lawyer or the court within 30 days, please call the hotline for help.

For more information:

888-999-2881

www.mass.gov/courts/druglab

Sus derechos

1. Usted tiene el derecho de contar con un(a) abogado(a).

Tiene el derecho de obtener consejos de un(a) abogado(a) sobre si debe o no cuestionar estas condenas. Si decide acudir al tribunal, tiene el derecho a ser representado(a) por un(a) abogado(a). Si no puede pagar los servicios de un(a) abogado(a), se le asignará uno(a) para que le aconseje y represente sin costo.

2. Usted tiene el derecho de pedirle al tribunal que anule su condena.

No tendrá que probar que Annie Dookhan manejó mal las pruebas de drogas en su caso. El(la) juez(a) supondrá que lo hizo. Esto se llama una "presunción absoluta" de que la señora Dookhan cometió una falta grave de conducta profesional en su caso.

Si usted se declaró culpable, tiene el derecho de retirar dicha declaración. Para hacerlo, tendrá que probar que hay una "probabilidad razonable" de que usted no se habría declarado culpable si hubiera sabido sobre la falta grave de conducta profesional de la señora Dookhan.

Si fue hallado(a) culpable durante un juicio, tiene el derecho de solicitar uno nuevo. El(la) juez(a) revisará su caso. El(la) juez(a) le otorgará un nuevo juicio, a menos de que se determine que el análisis de drogas de la señora Dookhan no tuvo que ver en la decisión del jurado o solo tuvo un efecto leve.

3. Si usted cuestiona su condena y gana, tendrá derecho a un nuevo juicio.

Si cuestiona su condena por drogas y tiene éxito, el juez "anulará" la condena. Una vez que se anule la condena:

- El fiscal no podrá ni agregar nuevos cargos ni volver a presentar cargos que se redujeron o desestimaron la primera vez.
- Si tiene un nuevo juicio, la única decisión que se podrá tomar es si usted es culpable o no culpable. Si se le halla culpable, el tribunal no podrá agregar más castigo al que usted ya ha recibido. No puede ser condenado(a) a tiempo adicional de cárcel o de probatoria o a pagar multas adicionales.

Siguientes pasos

Es decisión suya si quiere tomar pasos adicionales.

- Si no hace nada, la(s) condena(s) enumerada(s) permanecerá(n) en su historial.
- Puede hablar con un(a) abogado(a) para decidir si va a cuestionar esas condenas.

Cómo obtener un(a) abogado(a):

A. **Si no puede pagar los servicios de un(a) abogado(a)**, tiene derecho a que el tribunal le asigne uno(a). Póngase en contacto con CPCS, la agencia de defensores públicos de Massachusetts, mediante uno de los siguientes métodos, para comenzar el proceso:

1. Por teléfono: **888-999-2881**
2. Por internet: **www.publiccounsel.net/dlclu/intake**
3. Por correo normal: Dookhan Case Intake
Drug Lab Crisis Litigation Unit
Committee for Public Counsel Services
7 Palmer St., Suite 302
Roxbury, MA 02119

B. **Si sus ingresos son demasiado altos para que se le asigne un(a) abogado(a) sin costo**, puede contratar uno(a). Si aún no cuenta con un(a) abogado(a), puede encontrar uno(a) contactando al Colegio de Abogados(as) de Massachusetts u otro servicio de referencia a un(a) abogado.

Sin importar sus ingresos, puede contactar a Dookhan Case Hotline (Línea de información del caso Dookhan).

¿Tiene preguntas? ¡Llame a la línea de información!

Si tiene preguntas sobre cualquier información de este paquete o si desea aprender más sobre cómo hacer valer sus derechos, llame al **888-999-2881**. Esta línea de información funciona de lunes a viernes, de 9:30 a.m. a 5 p.m. Es 100% confidencial y la oficina de los defensores públicos, CPCS, la maneja.

Si ha entregado al tribunal los formularios incluidos y no ha recibido respuesta de un(a) abogado(a) o del tribunal dentro de 30 días, llame a la línea de información para obtener ayuda.

Para obtener más información:

888-999-2881

www.mass.gov/courts/druglab

Committee for Public Counsel Services

Drug Lab Crisis Litigation Unit

7 Palmer Street, Suite 302, Roxbury, MA 02119

TEL: 617-445-7581 FAX: 617-427-1320

Dookhan Case Hotline: 888-999-2881

Address
Address
Address

June 6, 2017

Dear Mr./Ms. _____ :

You received this packet because you have a criminal conviction based on the fraud of former state drug lab chemist Annie Dookhan. We are writing to you as public defenders who have been fighting for justice for people who, like you, have Dookhan-tainted convictions. We hope this letter will help you decide what to do now that you know that *you* have such a conviction.

The "Notice of Rights" in this packet informs you that you have the right to have an attorney advise and represent you in your Dookhan case – for free if you cannot afford to hire one. We urge you to claim that right by calling our confidential hotline at 888-999-2881. ***You have nothing to lose*** by taking this step. When you ask for an attorney, you are not committing to going to court to challenge your Dookhan conviction. You will be able to meet with your attorney and discuss your options before you decide whether to go to court. If you decide not to go to court, your case will be over and your Dookhan conviction will stay as is. If you decide to challenge your Dookhan conviction, your attorney will file a motion to vacate in the court where you were convicted and you will have a hearing before a judge on that motion.

It is important to know that if you win your motion to vacate your Dookhan conviction, ***you will not have to face any punishment beyond what you have already received in your case.*** If charges in your case were reduced or dismissed, the original charges cannot be brought back. If you have already served time, you cannot be sentenced to serve even one day more. The same is true for probation and fines – you cannot be required to serve any more probation or pay any more money.

What do you have to gain by challenging your Dookhan conviction? The answer depends on your circumstances. A drug conviction often has serious consequences separate from and lasting longer than the sentence imposed in court. These have been called "invisible punishments" and they can make it hard or even impossible for you to live your life in the best way possible. Examples of areas where drug convictions impose additional, "invisible" punishments are:

- Immigration
- Housing
- Occupational and professional licenses
- Employment generally

- Public benefits
- Financial aid for higher education

You may have already experienced some of these problems in your life. If so, vacating your Dookhan drug conviction may make a difference. Even if you have not experienced these problems in the past, vacating your Dookhan drug conviction might open up possibilities for your future that would not otherwise be available to you.

There is another reason why you should consider speaking to an attorney about the possibility of vacating your Dookhan drug conviction: *fairness*. Your conviction was based on fraud committed by an agent of the government. You served time or probation or both. You cannot get back the liberty you lost but you can try to rid yourself of the tainted conviction. In our experience representing individuals convicted in Dookhan cases, we have found that many find satisfaction in fighting to undo a conviction obtained so unfairly.

If have any questions about what we have written or about anything else in this packet, we urge you to call our **hotline** at **888-999-2881**. If you are ready to ask that a lawyer be assigned to advise and represent you or if you have questions about whether to ask for a lawyer, we urge you to call the hotline as well. You can also request help by writing to us at the above address or by visiting this website and submitting an on-line inquiry: www.publiccounsel.net/dclcu/intake.

We are committed to fighting for justice for the many individuals who were victimized by Dookhan's fraud and the government's neglect of the lab where she worked. We look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nancy J. Caplan', with a long horizontal flourish extending to the right.

Nancy J. Caplan

Attorney in Charge

Committee for Public Counsel Services

Drug Lab Crisis Litigation Unit

7 Palmer Street, Suite 302, Roxbury, MA 02119

TELÉFONO: 617-445-7581 FAX: 617-427-1320

*Dookhan Case Hotline (Línea de información del caso
Dookhan): 888-999-2881*

Address
Address
Address

6 de junio de 2017

Estimado(a) Sr./Srta./Sra. _____ :

Usted recibió este paquete porque tiene una condena penal debido al fraude realizado por la anterior química del laboratorio de drogas del estado Annie Dookhan. Le escribimos como defensores públicos que hemos luchado para obtener justicia para las personas que, como usted, tienen condenas afectadas por el caso Dookhan. Esperamos que esta carta le ayude a decidir qué hacer ahora que *usted* tiene dicha condena.

El "Aviso de derechos" en este paquete le informa que usted tiene el derecho de contar con un(a) abogado(a) que le aconseje y represente en el caso Dookhan; será sin costo si no tiene con qué contratar a uno(a). Le instamos a que haga uso de ese derecho al llamar a nuestra línea de información confidencial al 888-999-2881. **No tiene nada que perder** al tomar este paso. Cuando solicita un(a) abogado(a), no se compromete a ir al tribunal a cuestionar la condena afectada por el caso Dookhan. Podrá reunirse con su abogado(a) y discutir sus opciones antes de decidir si desea acudir al tribunal. Si decide no acudir al tribunal, su caso terminará y la condena afectada por el caso Dookhan quedará tal cual. Si decide cuestionar la condena afectada por el caso Dookhan, su abogado(a) introducirá una petición para anularla en el tribunal donde resultó condenado(a) y usted tendrá una vista ante un juez sobre la misma.

Es importante saber que si gana la petición para anular la condena afectada por el caso Dookhan, **no tendrá ninguna pena adicional a la que ya recibió en su caso**. Si se redujeron o desestimaron los cargos en su caso, no se pueden volver a presentar los cargos originales. Si ya ha cumplido una condena de cárcel, no puede ser sentenciado(a) a cumplir ni un día más. Lo mismo es cierto para la libertad probatoria y multas; no se le puede requerir que cumpla otro período de libertad probatoria o que pague más dinero.

¿Qué ganará al cuestionar la condena afectada por el caso Dookhan? La respuesta depende de sus circunstancias. Una condena por drogas a menudo tiene consecuencias serias además de y con mayor duración que la condena impuesta en el tribunal. Estas consecuencias a veces se denominan "castigos invisibles" y pueden hacer más difícil o hasta imposible vivir su vida de la mejor forma posible. Entre las áreas en que las condenas por drogas incluyen castigos "invisibles" están las de:

- Inmigración
- Vivienda
- Licencias ocupacionales y profesionales
- Empleo en general
- Beneficios públicos
- Ayuda financiera para educación universitaria

Puede que ya haya experimentado algunos de estos problemas en su vida. De ser así, anular la condena por drogas afectada por el caso Dookhan puede cambiar su situación. Aunque no haya experimentado estos problemas en el pasado, anular la condena por drogas afectada por el caso Dookhan puede ofrecerle posibilidades en el futuro, que de lo contrario no tendría disponibles.

Existe otra razón por la cual debe considerar hablar con un(a) abogado(a) sobre la posibilidad de anular la condena por drogas afectada por el caso Dookhan: *la justicia*. Su condena se basó en el fraude cometido por una agente del gobierno. Usted cumplió un tiempo de cárcel, de libertad probatoria o ambas. No podrá recuperar la libertad que perdió pero sí puede tratar de librarse de una condena indebida. Es nuestra experiencia al representar a las personas condenadas por las acciones de la señora Dookhan que muchas personas han sentido satisfacción al luchar para eliminar una condena que se logró de manera tan injusta.

Si tiene preguntas sobre lo que hemos escrito o cualquier información en este paquete, le instamos a que llame a nuestra **línea de información al 888-999-2881**. Si está listo(a) para pedir que se le asigne un(a) abogado(a) que le aconseje y represente o si tiene preguntas sobre si debe pedir un(a) abogado(a), le instamos a que llame también a la línea de información. También puede pedir ayuda al escribirnos a la dirección arriba o al visitar esta página web y enviar una solicitud por internet:

www.publiccounsel.net/dlclu/intake.

Nos comprometemos a luchar por la justicia de todas las personas que fueron victimizadas debido al fraude cometido por la señora Dookhan y a que el gobierno descuidó el laboratorio donde ella trabajó. Esperamos que usted se comunique con nosotros.

Atentamente,



Nancy J. Caplan

Abogada a cargo

Notice

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Aviso

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Aviso

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Thông báo

Tiếng Việt: Đây là giấy tờ chính thức của tòa. Nếu bạn không thể đọc bằng tiếng Anh, vui lòng vào trang mạng www.mass.gov/courts/druglab để đọc bản dịch, hoặc nhờ người dịch sang tiếng Việt.

កំណត់សំគាល់

ខ្មែរ ៖ នេះគឺជាឯកសារផ្លូវការរបស់តុលាការ។ បើលោក-អ្នកមិនអាចអានភាសាអង់គ្លេសបាន មេត្តាទៅមើលនៅ www.mass.gov/courts/druglab ដើម្បីអានឯកសារជាភាសាខ្មែរ ឬរកអ្នកណាម្នាក់ជួយបកប្រែជូន។