

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, SS.

SJC-SUFFOLK COUNTY
DOCKET NO. SJ-17-347

COMMITTEE FOR PUBLIC COUNSEL SERVICES, et al.

PETITIONERS,

V.

ATTORNEY GENERAL OF MASSACHUSETTS, et al.

RESPONDENTS.

CLARIFICATION OF THE POSITION
OF THE BRISTOL DISTRICT ATTORNEY'S OFFICE

The Bristol District Attorney's Office hereby seeks to clarify its position with respect to one sentence of the Joint Response of the District Attorneys to Petitioners' Request for Reservation and Report and to this Court's Interim Order of December 8, 2017 ("Joint Response"), which the Bristol District joined with respect to Part II,B. In its introductory section, the Joint Response states:


After this extensive review, only two offices, Berkshire and Bristol, have non-Ruffin Farak cases that are not on the lists to be vacated and dismissed with prejudice and which each of those offices certifies can be re-tried with non-Farak tainted evidence if the defendant successfully moves for a new trial. (p. 3)

As laid out in its initial filing in this case, the Bristol District has agreed to dismiss 203 cases, reserving adverse dispositions in 34 cases, involving 21 defendants which it continues to review. The continuing nature of the review has already led to the determination that the total number of cases Bristol will seek to maintain involves fewer than 20 defendants. The Bristol District has not, however, certified these cases as represented.

Respectfully submitted
For the Commonwealth,

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