



MACDL

Massachusetts Association of
Criminal Defense Lawyers

FOR IMMEDIATE RELEASE

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MACDL Condemns Politically-Motivated Attacks on Judge Feeley

Boston, Mass. (May 23, 2018) -- The Massachusetts Association of Criminal Defense Lawyers (MACDL) condemns attempts by lawmakers to impeach Judge Timothy Feeley for his decision to sentence Manuel Soto-Vittini to two years of probation following his guilty plea to charges of drug distribution.

Contrary to many reports, Judge Feeley's sentence was not intended to affect Mr. Soto-Vittini's immigration status. Mr. Soto-Vittini's plea renders him deportable, and at sentencing Judge Feeley specifically disavowed any intent to help with immigration. Additionally, the press mischaracterized Judge Feeley's comments that Mr. Soto-Vittini committed the crime to financially support his children rather than to support an addiction. Instead, Judge Feeley was properly focused on Mr. Soto-Vittini's work history, his high potential to remain drug and crime-free, and his future as a productive member of society.

Judge Feeley's sentence imparts severe consequences, including likely deportation, two years of supervised probation, the threat of prison time if he violates, and a criminal record. These consequences are proportionate to Mr. Soto-Vittini's offense and take into consideration the fact that he had no prior criminal convictions. Indeed, the case is one that would ordinarily be handled in the state district court, where probationary sentences for similar drug offenses are common. It was only charged in Superior Court because the assistant district attorney erroneously claimed that the amount of drugs involved transformed this into a 'drug-trafficking' offense, which carries heavier penalties than drug distribution. Defense counsel proved that this claim was false. Moreover, Judge Feeley accepted the guilty plea only after he denied a defense motion to dismiss the charges outright.

Any suggestion that Judge Feeley is pro-defense is propaganda. Judge Feeley is a former federal prosecutor who spent much of his career prosecuting drug traffickers, members of organized crime, and gun traffickers. He is a thoughtful jurist who looks at the cases before him without favor or prejudice to any side. He is respected by both lawyers and judges for his intellect and equitable application of the law.

MACDL fundamentally disagrees with the idea that judges should be subject to impeachment based on their exercise of discretion within the bounds allowed by law. Threats of impeachment will have a chilling effect on all judges, prompting harsher sentences even as the Massachusetts legislature has passed criminal justice reform intended to reduce the unnecessary and expensive incarceration of mostly African-American and Latino men that has torn apart families and had drastic consequences on our society.

MACDL strongly encourages press and interested parties to reach out to Mr. Soto-Vittini's defense attorney, Eduardo Masferrer, for a fuller explanation of the facts and circumstances of the case.

About MACDL

MACDL is the only statewide association of lawyers in Massachusetts devoted exclusively to serving all segments of the defense bar. According to their mission statement MACDL's mission is to preserve the adversary system of justice; to maintain and foster independent and able criminal defense lawyers and to ensure justice and due process for persons accused of a crime. MACDL will be an advocate for the advocate.

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