

**HOUSE . . . . . No. 412**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Antonio F. D. Cabral*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to ensure testimony in gang related cases.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>	<i>1/18/2011</i>
<i>Stephen R. Canessa</i>	<i>12th Bristol</i>	<i>2/2/2011</i>

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By Mr. Cabral of New Bedford, a petition (accompanied by bill, House, No. 412) of Antonio F. D. Cabral and Stephen R. Canessa relative to the penalty for failure to testify in gang related cases. The Judiciary.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3516 OF 2009-2010.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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An Act to ensure testimony in gang related cases.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1

2 Chapter 233, section 5 of the General Laws, as appearing in the 2008 Official Edition, is  
3 hereby amended by adding the following paragraph:-

4 “Where the defendant is accused of a violent crime as defined in section 121 of chapter  
5 140 that is a result of gang-related activity, the punishment for such failure to attend shall be by a  
6 fine of not more than ten thousand dollars or by imprisonment for not more than one year or  
7 both.”